

against the damage award in this action, the amount of \$50,000.00. This is the amount to be received by plaintiffs from the defendant Judy G. Kelley by way of pre-trial settlement of the plaintiffs' claims against said defendant. This \$50,000.00 offset shall be apportioned among the various plaintiffs on the basis of the percentage which the recovery of each respective plaintiff bears to the total recovery allowed against the defendant United States of America.

[8] 18. Taking into account the time and effort expended, the result obtained, and all other relevant factors, plaintiffs' counsel are entitled to recover as attorneys' fees in this action, twenty-five per cent (25%) of the amounts herein awarded to the plaintiffs, as provided for under the Federal Tort Claims Act.

[9] 19. Plaintiffs, as the prevailing parties in these actions, are entitled to recover from the defendant, the United States of America, their costs in these actions.

20. Judgment in accordance with these Conclusions of Law is to be forthwith entered.



Julius W. HOBSON, individually and on behalf of Jean Marie Hobson and Julius W. Hobson, Jr., et al., Plaintiffs,

v.

Carl F. HANSEN, Superintendent of Schools of the District of Columbia, the Board of Education of the District of Columbia, et al., Defendants.

Civ. A. No. 82-66.

United States District Court,  
District of Columbia.

May 25, 1971.

Proceeding on motion wherein plaintiffs requested that per pupil expenditures from district budget at each ele-

mentary school not be allowed to deviate by more than 5% from average per pupil expenditure for all elementary schools in system. The District Court, J. Skelly Wright, Circuit Judge, held that where, despite injunction against further racial and economic discrimination in operation of school system, District's elementary schools which had 74% white enrollment had 15.5% smaller pupil-teacher ratio, 9.7% greater average teacher cost and 26.7% greater teacher expenditure per pupil than did elementary schools which had 98% black enrollment, notwithstanding contentions that discrepancies were random, were due to technological reasons beyond defendants' control, and were inconsequential, right to equal educational opportunity was being denied, and it would be ordered that per pupil expenditures for teachers' salaries and benefits in any elementary school not deviate, except for adequate justification, by more than 5% from mean per pupil expenditure for teachers' salaries and benefits at all elementary schools in district.

Ordered accordingly.

#### 1. Schools and School Districts 144(4)

Where District's elementary schools which had 74% white enrollment had 15.5% smaller pupil-teacher ratio, 9.7% greater average teacher cost and 26.7% greater teacher expenditure per pupil than did elementary schools which had 98% black enrollment, notwithstanding contentions that discrepancies were random, were due to technological reasons beyond defendants' control, and were inconsequential, right to equal educational opportunity was being denied, and it would be ordered that per pupil expenditures for teachers' salaries and benefits in any elementary school not deviate, except for adequate justification, by more than 5% from mean per pupil expenditure for teachers' salaries and benefits at all elementary schools in District. Elementary and Secondary Education Act of 1965, §§ 101, 105, as amended, 20 U.S.C.A. §§ 241a, 241e.







2. Civil Rights  $\Rightarrow$  1

If racial minority is treated in discriminatory fashion, there is presumptive constitutional violation demanding exacting scrutiny by court and imposing heavy duty of justification for such treatment.

3. Civil Rights  $\Rightarrow$  9

Court's duty to scrutinize alleged discrimination against racial minority is especially high if right of minority affected is right to equal educational opportunity.

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Peter F. Rousselot, Washington, D. C., for plaintiffs.

C. Francis Murphy, Acting Corp. Counsel for District of Columbia, and John A. Earnest, Matthew J. Mullaney, Jr. and Thomas R. Nedrich, Asst. Corp. Counsel for District of Columbia, for defendants.

J. SKELLY WRIGHT, Circuit Judge\*:

On May 19, 1970, Julius W. Hobson, an original plaintiff in the class action which led to this court's prior judgment and decree of June 19, 1967, 269 F.Supp. 401, *affirmed, sub nom.* Smuck v. Hobson, 132 U.S.App.D.C. 372, 408 F.2d 175 (1969) (*en banc*), filed an amended motion for both further relief and enforcement of the decree. Under the relief requested the per-pupil expenditures from the regular District of Columbia budget at each elementary school would not be allowed to deviate by more than five per cent from the average per-pupil expenditure for all elementary schools in the system; the five per cent variation might be exceeded only for adequate justification, which would be defined to include provision of compensatory education for educationally deprived pupils in accordance with the 1967 decision, or provision for special educational services for the mentally retarded or physically handicapped. To understand the mean-

ing of plaintiffs' motion for further relief and enforcement, it is necessary briefly to review the beginnings of this long litigation.

## I

In 1967 the basic question presented to the court was whether the defendants, the Superintendent of Schools and the members of the Board of Education, in the operation of the public school system here, were unconstitutionally depriving the District's Negro and poor public school children of their right to equal educational opportunity with the District's white and more affluent public school children. 269 F.Supp. at 406. The court concluded that they were, and its decree permanently enjoined the District of Columbia school board from discriminating on the basis of racial or economic status in the operation of the public school system. 269 F.Supp. at 517.

This decree was based in part upon the court's finding of a systematic discrimination favoring the west of Rock Creek Park schools in the distribution of District educational resources—in the age and condition of school buildings, in school congestion, in quality of faculty and of textbooks, in curricula and special programs such as kindergarten, and lastly in per-pupil expenditures. With reference to these documented inequalities, the court held:

" \* \* \* However the Supreme Court ultimately decides the question of a school board's duty to avoid pupil-assignment policies which lead to *de facto* segregation by race and class, it should be clear that if whites and Negroes, or rich and poor, are to be consigned to separate schools, pursuant to whatever policy, the minimum the Constitution will require and guarantee is that for their objectively measurable aspects these schools be run on the basis of real equality, at least unless any inequalities are adequately justified."

\* Sitting by designation pursuant to 28 U.S.C. § 291(c).







269 F.Supp. at 496. The court went on to comment:

"The constitutional principle from which this modern separate-but-equal rule draws its sustenance is, of course, equal protection. Orthodox equal protection doctrine can be encapsulated in a single rule: government action which without justification imposes unequal burdens or awards unequal benefits is unconstitutional. The complaint that analytically no violation of equal protection vests unless the inequalities stem from a deliberately discriminatory plan is simply false. Whatever the law was once, it is a testament to our maturing concept of equality that, with the help of Supreme Court decisions in the last decade, we now firmly recognize that the arbitrary quality of thoughtlessness can be as disastrous and unfair to private rights and the public interest as the perversity of a willful scheme.

"Theoretically, therefore, purely irrational inequalities even between two schools in a culturally homogeneous, uniformly white suburb, would raise a real constitutional question. But in cases not involving Negroes or the poor, courts will hesitate to enforce the separate-but-equal rule rigorously. Through use of a generous *de minimis* rule or of a relaxed justification doctrine, or simply in the name of institutional comity, courts will tolerate a high degree of inequality-producing play, and delay, in the joints of the educational system. But the law is too deeply committed to the real, not mere-

ly theoretical (and present, not deferred) equality of the Negro's educational experience to compromise its diligence for any of these reasons when cases raise the rights of the Negro poor. \* \* \*

*Id.* at 497.<sup>1</sup> (Footnotes omitted.)

In its 1967 decree, the court attacked *de jure* segregation in the District directly, ordering the track system and optional attendance zones abolished and calling for integration of school faculties. The court held further that per-pupil expenditure is a measure which summarizes most other relevant distributions of educational resources. But on the assumption that compliance with other items of the 1967 decree would have the secondary effect of equalizing overall resource distribution, the court deferred any more specific remedy for the inequality in per-pupil expenditures. The thrust of plaintiffs' 1970 amended motion for further relief and enforcement was that this hoped for secondary effect of the original decree has not occurred. Plaintiffs returned to the court asking for further relief in view of the fact that the spread in total expenditures per pupil at various District elementary schools had increased by over 100 per cent since 1964, the last year for which complete figures were available at the time of the original litigation.<sup>2</sup> Plaintiffs requested a more specific remedy to alleviate these inequalities.

## II

[1] After a year of discovery and argument by memoranda,<sup>3</sup> the record now before the court indicates that a striking

1. See the discussion of law in text at pages 859-861 and Note 22 *infra*.
2. Affidavit of Julius W. Hobson, December 2, 1970, at 4.
3. On July 6, 1970, defendants opposed plaintiffs' amended motion. Defendants filed a motion of their own to vacate the decree of June 19, 1967 and to dismiss the original complaint, which plaintiffs in turn opposed on July 14, 1970, asking for judgment on the pleadings. In the memorandum of points and authorities filed in support of their opposition and motion

of July 6, defendants contended that "the extent of integration of faculties and demountables to relieve overcrowding is not believed to have had a substantial impact on the 1967-68 per pupil expenditure figures as it would have on later years." To check this contention, the court, by order filed July 16, 1970, required defendants to file by August 10, 1970 certain categories of expenditure data for the 1970 fiscal year and to detail their compliance with that part of the court's 1967 opinion calling for compensatory education to *de facto* segregated schools. Mat-







## Note 3—Continued

ter responsive to this order was filed by defendants on August 10 and 12, 1970, in the form of an affidavit and a supplemental affidavit of Benjamin J. Henley, Acting Superintendent of Schools, and three volumes of exhibits. On August 12, 1970, the court *sua sponte* required defendants to develop and to file with the court certain tables displaying family income and per-pupil expenditures for fiscal 1970, as well as a calculation of the statistical correlation between deviations from mean per-pupil expenditure out of regular funds and deviations from mean 1959 median family income.

On August 17, 1970, plaintiff moved for production of additional information, which motion defendants opposed. By order filed August 31, 1970, the court granted plaintiffs' motion in part, denied it in part, and established a schedule for memoranda responding to exhibits previously filed and under order soon to be filed. The court's order of August 31 directed defendants to file in the record, *inter alia*, "projected per-pupil expenditure out of regular funds for teacher services rendered at each public elementary school in the District of Columbia for the school year 1970-71, as well as the per-pupil expenditure out of regular funds for teacher services rendered at each public elementary school in the District of Columbia during the school year 1969-70."

On the following day, September 1, 1970, in a memorandum opinion and order, this court stated:

"The best data now available to this court indicates that there still is a substantial differential in per-pupil expenditure which favors the elementary schools west of the Park. The area west of the Park is the richest in the District. The elementary school population of that area is also the whitest in the city. \* \* \* A *prima facie* case of violation of the 1967 decree seems to have been made out. \* \* \*

(Footnotes omitted.)

In response to plaintiffs' May 19 proposal for further relief, defendants had urged that there were fundamental reasons, for the most part beyond the school system's control, which contributed to the alleged expenditure disparities and would make adherence to a 5% range of variation a devastating and unjustified burden on their management of the school system. Of the reasons given by the school board for variations in expenditures, some seemed truly to be beyond their control. Examples are differences in the amount

and cost of vandalism occurring at different schools, in the age of different school buildings and the consequent cost of upkeep, and in the size of school plants and consequent variations in cost of operations attributable to economies of scale. Without precluding defendants from introducing more precise and updated figures about expenditures or from rebutting the *prima facie* case of violation of the 1967 decree based on the figures then in the record, the court therefore sought to focus the attention of the parties on those aspects of school management which appeared to contribute substantially to the apparent disparities in per-pupil expenditure and which also appeared to be *within* defendants' control. In its September 1 memorandum opinion, the court ordered that defendants

(1) "indicate, by memorandum filed in the record in this case, why the school board should not devise a plan to equalize within a five per cent variation expenditures for teaching costs out of regular funds among all District of Columbia elementary schools for the 1971 fiscal year." and

(2) "indicate, by memorandum filed in the record in this case, why busing of pupils from low-income area, overwhelmingly black, overcrowded schools in the District to high-income area, whiter and underpopulated schools would not eliminate unnecessary differences in per-pupil expenditures relating to over- and undercrowding, which defendants concede to be one of the causes of the lingering and spectacular inequality in overall per-pupil expenditures."

Pursuant to the order of August 31, 1970, defendants filed enrollment-capacity data and racial data for each elementary school as of September 21, 1970. In accord with defendants' motion, the court amended its orders of August 31 and September 1, 1970 to require further exhibits on November 2, 1970 and the show cause memorandum by defendants relating to overcrowding and teaching costs on November 16, 1970. Defendants subsequently filed on November 2, 1970 exhibits dealing with teaching status, race, experience, actual per-pupil costs for teacher expenditures for fiscal 1970, and projected per-pupil costs for teacher expenditures for fiscal 1971. Defendants filed further data in the record on November 6, 17 and 27, 1970. On November 17, 1970, defendants also filed their show cause memorandum relating to overcrowding and teaching costs. Plaintiffs filed a memorandum responding to defendants' exhibits and show cause memorandum on







differential in per-pupil expenditures for teachers' salaries and benefits<sup>4</sup> exists between schools east and west of the Park and that the differential is greater in fiscal 1971 than it was in fiscal 1970. The area west of the Park,<sup>5</sup> where despite voluntary busing the public school population is today 74 per cent white, is decidedly favored over the rest

of the city where the school population is 98 per cent black, and is especially favored over Anacostia, one of the most poor and black sections of the city.<sup>6</sup> The following tables show the extent of existing inequities by comparison of pupil-teacher ratios, average cost per teacher, and average teacher cost per child for both fiscal 1970 and fiscal 1971.<sup>7</sup>

Note 3—Continued

December 8, 1970, along with affidavits by Julius Hobson and Stephan Michelson, Research Associate at the Center for Educational Policy Research, Harvard University. Defendants have filed a reply memorandum to the court, along with a separate analysis of variation in teacher expenditures per pupil among District elementary schools by Dave M. O'Neill, Burton Gray and Stanley A. Horowitz, on January 18, 1971. At the court's request, plaintiffs filed a rebuttal memorandum to the O'Neill report on February 11, 1971. Defendants filed a rejoinder memorandum on March 9, 1971.

Finally, and in response to a March 15, 1971 order of the court, counsel for the parties conferred; in lieu of proposed findings of fact, they subsequently submitted seven joint memoranda, supplemented by other separate memoranda where agreement was not possible, stipulating to the basic facts upon which this opinion is grounded.

4. In the course of this litigation, the court has shifted the focus of attention of the parties from total expenditures per pupil to expenditures per pupil for teachers' salaries and benefits, or "teacher expenditures per pupil." For the reasons, see the 4th paragraph of Note 3, *supra*.
5. Rock Creek Park itself runs the length of the city from north to south, and sets off the area to its west, roughly a fourth of the city, as a discrete geographic entity. The Park serves as a natural boundary for school attendance zones and makes cross-park districting, at least without mandatory busing, impractical. The area west of Rock Creek Park has been and continues to be by general agreement not only the most wealthy but also the only predominantly white section of Washington.
6. The percentage racial breakdown for 1971 comes from Joint Stipulation S-14. Joint Stipulation S-5 shows that in 1970 west of the Park schools were 77% white, while schools in the rest of the city were

98% black. The record before the court contains various indices of the economic status of different regions of the District of Columbia measured in several different years. All indices in all years show that the region west of the Park is by far the wealthiest in the city. With regard to the relative economic status of the Anacostia area *vis-à-vis* the area west of the Park, see the affidavit of Edward M. Brooks, former director of the Research Division of the United Planning Organization, in "Defendants' Further Separate Memorandum on the Relevance and Materiality of the Various Indicia of Wealth by Regions of the City," May 3, 1971. During 1968 and 1969 Mr. Brooks helped develop for UPO a poverty index for the District of Columbia which has the advantage that it can be updated annually on the basis of locally generated data. The latest available data using the UPO index is for 1968. In his affidavit Mr. Brooks states that "the six most affluent tracts in the city were West of Rock Creek Park, and, further, all of the tracts West of the Park were more affluent than any tract East of the Anacostia River." Like the west of the Park area, Anacostia is physically separated from the rest of the city by a geographical boundary—the Anacostia River. Anacostia has 37 elementary schools and a population of approximately 35,000 students. Defendants' Separate Memorandum re Tables S-17, 18, 19, and 20, April 27, 1971, at 2.

7. These data are taken from Joint Stipulations Nos. S-1, S-2, S-6 and S-7. The data base used includes kindergarten and prekindergarten students, special teachers, and counselors and librarians. Ideally, the court would have preferred to separate out counselors and librarians from teachers, but separate data for teachers only was unavailable in fiscal 1970, and the court wished above all to use the same data base in comparing pupil-teacher ratios, average teacher costs, and expenditures per pupil for teacher costs in fiscal 1970 and fiscal 1971.







HOBSON v. HANSEN

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Cite as 327 F.Supp. 844 (1971)

DIFFERENCES BETWEEN WEST OF THE PARK ELEMENTARY  
SCHOOLS AND SCHOOLS IN THE REMAINDER OF THE CITY  
(excluding special schools)

Fiscal 1970

	West of Park	Remainder of City	West of Park Advantage
Pupil-teacher ratio	21.4/1	22.9/1	7.0% smaller
Average teacher cost	\$11,734	\$10,167	15.4% greater
Teacher expenditures per pupil	\$552	\$444	24.3% greater

Fiscal 1971

Pupil-teacher ratio	18.1/1	20.9/1	15.5% smaller
Average teacher cost	\$12,118	\$11,048	9.7% greater
Teacher expenditures per pupil	\$669	\$528	26.7% greater

DIFFERENCES BETWEEN WEST OF THE PARK ELEMENTARY  
SCHOOLS AND ANACOSTIA ELEMENTARY SCHOOLS

Fiscal 1970

	West of Park	Anacostia	West of Park Advantage
Pupil-teacher ratio	21.4/1	24.6/1	14.9% smaller
Average teacher cost	\$11,734	\$10,046	16.8% greater
Teacher expenditures per pupil	\$552	\$413	33.7% greater

Fiscal 1971

Pupil-teacher ratio	18.1/1	22.6/1	24.9% smaller
Average teacher cost	\$12,118	\$10,775	12.5% greater
Teacher expenditures per pupil	\$669	\$478	40.0% greater

(A41121)







Particularly in view of the 1967 opinion and decree in this case, these figures make out a compelling *prima facie* case that the District of Columbia school system operates discriminatorily along racial and socio-economic lines. As the Fifth Circuit taught us in *Brooks v. Beto*, 366 F.2d 1, 9 (1966), "figures speak and when they do, Courts listen." If plaintiffs' strong *prima facie* case of racial discrimination in the administration of the District school system is not rebutted, then these results can only be justified by a "compelling state interest."<sup>8</sup> The thrust of the defense in this case has not, however, been with the demonstration of such compelling interests, but rather with various attempts to undermine the preliminary finding of discrimination in the dispensation of educational opportunity.

### III

A. The first of the defenses to plaintiffs' *prima facie* case is the argument that, conceding expenditures for teachers' salaries per pupil to be higher west of the Park than in the rest of the city and recognizing that the west of the Park area has traditionally been a bastion of the white and wealthy, more is required for a finding of discrimination in 1971. Specifically, defendants have asked the court to notice that busing undertaken to relieve overcrowding has diluted the concentration of white students and has raised the percentage of black students at many of the west of the Park schools. But the fact remains that, when all 13 schools west of the Park are considered together in 1971, they are still 74 per cent white as compared with all the rest of the schools in the system, which average 98 per cent black.<sup>9</sup> The west of the Park area continues to have schools which are identifiably more white

and wealthy. Although they have received some bused students, the west of the Park schools remain 10 per cent less crowded than schools in the remainder of the city.<sup>10</sup> That the west of the Park schools have 27 per cent higher expenditures per pupil for teachers' salaries and benefits in 1971 is *prima facie* evidence of discrimination.

Nor do defendants succeed in undercutting this *prima facie* case by pointing out that there are substantial differences in per-pupil expenditure existing in the approximately 130 elementary schools in the system and by suggesting that consequently "it is possible for anyone to cull a small atypical grouping of elementary schools which yields an average per pupil expenditure substantially different from the city-wide average."<sup>11</sup> What defendants fail to recognize is that the schools west of the Park constitute both a geographic and an historical entity.<sup>12</sup> If defendants were correct that the observed teacher expenditures per pupil west of the Park were a random or freak phenomenon, then defendants should be able to find other such "atypical" clusters of schools and to demonstrate that the unusually high expenditures at such clusters were unrelated to impermissible racial or socio-economic discrimination. But the only other high expenditure "atypical" group of elementary schools mentioned by defendants is that comprising the Model Schools Division, in which the pupils are predominantly black and from the lowest income level families. In 1971 the schools in this model project had teacher expenditures per pupil of \$548, or \$15 above the citywide average.<sup>13</sup> This *de minimis* advantage hardly compares, however, with that of the west of the Park schools which were \$136 above the citywide average. Moreover, there is a lawful reason

8. See the discussion of law in text at pages 859-861 and Note 22 *infra*.

9. Joint Stipulation S-14.

10. Joint Stipulation S-16.

11. Defendants' Memorandum to the Court, November 17, 1970, at 20.

12. See Note 5 *supra* and *Hobson v. Hansen*, 269 F.Supp. 401, 410 (1967).

13. Defendants' Revised Submission to the Court, November 6, 1970, and Joint Stipulation S-6.





for the favorable treatment of the Model Schools Division program; it serves as a model of compensatory education and is justified by the court's 1967 holding that

"[w]here because of the density of residential segregation or for other reasons children in certain areas, particularly the slums, are denied the benefits of an integrated education, the court will require that the plan include compensatory education sufficient at least to overcome the detriment of segregation \* \* \*."

269 F.Supp. at 515. Because the Model Schools Division program is designedly compensatory, it would not be bound by plaintiffs' proposed five per cent equalization order.

The higher than average teacher expenditures per pupil out of regular funds at the Model Schools Division schools are further accounted for by the fact that the administration has designated these schools to receive all Title I money extended to the District of Columbia under the Elementary and Secondary Education Act. Federal law requires that Title I funds be spent only to meet the special educational needs of disadvantaged children. To obtain Title I funds from the federal government, local school administrators must first demonstrate that the designated receiving schools are already given *at least* equal treatment with other schools in the system as measured by objective inputs out of regular budgetary funds.<sup>14</sup> Thus both because they are part of the city's own compensatory program and because it is a prerequisite to their receiving Title I funds, Model Schools Division schools lawfully receive slightly higher than average teacher expenditures per pupil. But by what lawful justification do the elementary schools in the white and wealthy west of the Park area receive strikingly higher teacher expenditures per pupil, out of regular appropriations uniquely

within defendants' control, as compared with all of the city's black and generally poorer schools, including those of the Model Schools Division? As will be seen below, this is a question for which defendants have no satisfactory answer.

B. As an adjunct to their claim that the schools west of the Park constitute an unfair or "atypical" sample, defendants have offered evidence purporting to show that, when looked at overall, children from poor homes fare as well or better than their wealthier counterparts in the allotment of expenditures. By defendants' calculations, the statistical correlation between the fiscal 1970 per-pupil expenditure and the 1959 median family income is  $-0.08$ . "No statistical relationship at all exists; the rank distribution is completely random." According to plaintiffs, however, defendants have not computed this correlation correctly. The correct correlation is  $+0.053$ —small, but positive. Plaintiffs state that when one looks at the correlation between income and expenditures per pupil for teachers' salaries in fiscal 1970—the focus which the court has most recently requested—the correlation is a significant  $+0.100$ ; and that it rises to  $+0.172$  when special schools for the mentally retarded and physically handicapped are excluded (as they would be under plaintiffs' proposed equalization order).

Fortunately, the court does not find it necessary to arbitrate this abstruse statistical dispute between the parties. Even if defendants have computed the correlation correctly, all they have demonstrated is that random high per-pupil expenditures in favor of some children from poor, black neighborhoods east of Rock Creek Park at the expense of other children from poor, black neighborhoods east of Rock Creek Park are so great that they obscure the systematic discrimination in favor of white children from wealthy neighborhoods west of

14. 20 U.S.C. §§ 241a and 241e (1964), as amended by Public Law 91-230, § 109 (a), 91st Cong., 2d Sess., April 13, 1970. And see Memorandum to Chief State

School Officers: "Subject: Advisory Statement on the Development of Policy on Comparability," September 18, 1970.





Rock Creek Park. Put another way, if there is a "crazy quilt" or random nature to the spending pattern, it is concentrated among some low income area schools where there appears to be no significant correlation among race, neighborhood income, and per-pupil expenditures. Whereas white children in wealthy neighborhoods have only a slight chance of being assigned to elementary schools where the expenditure per pupil is less than the citywide average, children in poorer black neighborhoods face a substantial probability of such assignment. Defendants' own scatter diagrams serve only to reinforce plaintiffs' argument that per-pupil expenditures for teachers' salaries in District public schools are "random," if at all, only for the black and the poor. The wealthy and the white are virtually guaranteed more money—in almost every instance substantially more than five per cent above the citywide average.

C. Defendants have also attempted to account for the observed discrepancies in expenditures solely on the basis of true economies of scale. A brief review of the contentions of opposing parties

in the economies of scale debate will serve to indicate the added difficulties which beset the truth finding process when it is necessary to rely upon easily manipulated statistical analyses. When the evidence first presented indicated wide discrepancies in overall expenditures per pupil favoring the west of the Park schools, defendants took the position that economies of scale were the real reason for what plaintiffs attributed to discrimination. In this respect, defendants directed the court's attention to an article by June O'Neill and Arlene Holen published in the Washington Post on October 15, 1970.<sup>15</sup> Adopting the June O'Neill—Arlene Holen article's reasoning, defendants stated in their November 17 memorandum to the court that they "must here again emphasize that it is not the blackness or whiteness of the school, nor the poorness or richness of the school that causes a high or low per pupil expenditure figure. It is the size of the school."<sup>16</sup>

Plaintiffs have demonstrated to this court's satisfaction, however, that defendants' initial explanation of the observed discrepancies in per-pupil expend-

15. The article reads in part as follows:

"Large schools have relatively low expenditures per pupil and small schools have higher expenditures. This is just what would be predicted by the time-honored principle of economies of scale, which describes the general tendency of costs per unit of output—in this case, one child's education—to fall as the scale of operation—in this case, the size of school—increases.

"Schools west of the park are smaller, 305 pupils per school on the average. Schools east of the park are newer and larger, 744 pupils per school on the average. The principle of economies of scale then, would lead one to expect higher expenditures west of the park where the schools are so much smaller. Such a differential need not reflect discriminatory practices.

"An appropriate comparison is made in the accompanying chart. When schools of equal size are compared, it is clear there are no significant east-west differences. If anything, schools of the same size east of Rock Creek have somewhat higher per-pupil expenditures than their western counterparts. The

figures used here are D. C. expenditures only, and do not include federal Title I or impacted area funds.

"It is also striking that expenditures per pupil consistently decrease as the size of school increases. And this happens on both sides of the park.

"The reason for this phenomenon of declining costs, which is widely recognized in industry, is the greater spreading out of high fixed costs over more pupils in the larger schools. For example, school principals get similar salaries, but in larger schools the principal's salary cost per pupil will be much lower. This greater spreading out of costs applies to all those items in the school budget which cannot be provided in direct proportion to the number of pupils—administrative costs, building and maintenance costs, library, special teacher and guidance services, etc."

16. Defendants' Memorandum to the Court, November 17, 1970, at 23. "Size" is defined as the number of pupils in attendance, not in terms of the physical dimensions of the building.





stures solely on the basis of economies of scale is scientifically invalid. Plaintiffs' Michelson analysis aptly noted first that the conclusions reached in the June O'Neill—Arlene Holen article were based upon the unstated premise that the quality of education given at schools throughout the city was constant. This approach begs precisely the ultimate factual question posed by this litigation—whether all children in the District school system are being given equal educational opportunity or whether some children are favored over others. If the larger schools east of the Park show substantially lower expenditures per pupil, it is of course possible that these lower expenditures may be explained by true economies of scale; but it is equally possible that they also reflect lower inputs of resources and generally inferior, thus less expensive, education. Dave O'Neill's analysis,<sup>17</sup> offered by defendants in response to Michelson's analysis,

though it differs from Michelson's in other respects, is in agreement with Michelson that the June O'Neill—Arlene Holen newspaper article is facile and unreliable. The Michelson analysis, in addition to showing that the O'Neill—Holen article begs the ultimate question posed by this litigation, also demonstrates that, when variables other than size—such as average teachers' salaries, teacher-pupil ratio, or capacity utilization—are also considered, then size alone can be said to explain only somewhere between 7.5 per cent and 15 per cent of the observed differences in per-pupil expenditures for teachers' salaries. Thus defendants' initial claim that the differential is legitimate because it arises solely, or even substantially, from their alleged ability to run comparable quality schools more cheaply if they are larger has been convincingly refuted, not only by Michelson, but by their own expert as well.<sup>18</sup>

17. The two O'Neills should not be confused. June, the wife, wrote her Washington Post article on economies of scale first. Dave, the husband, appeared later, as defendants' expert.

18. June O'Neill, of course, had written in October about economies of scale in total expenditures per pupil. Dave O'Neill focuses, as the court had suggested in September, on teaching costs alone. As to the first component of teaching cost—average teacher salary—Dave O'Neill finds there can be economies of scale. According to Dave O'Neill, variation in average teacher salary with size reflects "only the fact that old teachers tend to be in old (and therefore small) buildings." He criticizes the Michelson technique quite convincingly when he writes that "the fact that there is a built-in negative correlation between average teacher salary and school size has introduced much confusion into \* \* \* previous discussions." Dave O'Neill does find, however, that the second component of teaching costs—class size—may be subject to economies of scale, although "there will always be the problem that larger classes in the larger schools could result in both lower costs and lower quality." It is thus only for special teachers that absolutely untainted economies of scale may be possible. Small schools everywhere in town tend to have more special

teachers than large ones; and because special teachers in small schools tend to be itinerant, the time they spend traveling may mean that students in large schools receive just as much classroom time per special teacher as students in small schools do. If this is true, Dave O'Neill concludes, "then it would appear that, as between sides of the park, significant differentials in the quality of schooling do not emanate from the [special teacher] differential." Although interesting, Dave O'Neill's economies of scale argument is speculative and unproved. At the moment, we cannot know how much of the existing variation in expenditures for special teachers is absolutely necessary because of economies of scale and how much could have been eliminated by more economical scheduling of special teachers. And even if Dave O'Neill's theory is correct, it would only explain away that part of the differential in teacher expenditures per pupil which relates to *special teachers*. Without prejudging this issue, the court will note at this point that an equalization order could be framed in such a way as to leave open exceptions to the permissible range of variation where defendants can prove that these were due purely to economies of scale. With respect to reporting special teacher expenditures per pupil, this court in any future studies will require that the salaries of special





## IV

In the preceding portion of this opinion, the court has considered and rejected defendants' argument that the observed wide discrepancies in teacher expenditures per pupil favoring schools west of the Park are random and do not favor any particular racial group or economic class of children. The court has also rejected defendants' position that, even if an objective pattern of discrimination exists, it does so solely or primarily for technological reasons (*i. e.* economies of scale) which are beyond defendants' control and which cannot be remedied by a court order. Now the court comes to defendants' ultimate defense: that even if a pattern of unequal expenditures does exist, and even if the differential expenditures per pupil are within defendants' control, the resulting real resource differentials are nonetheless inconsequential as they relate to equal educational opportunity.

Teacher expenditure per pupil is a sum, of course, which reflects both the

teachers who teach at more than one school be prorated among the schools according to the time spent at each school.

Although plaintiffs and defendants now seem to be in agreement that economies of scale are quite small, the question still arises whether they might be sufficiently large to account for teacher expenditures per pupil outside the requested 5% equalization range in a small number of exceptionally large or small schools. The question, of course, is not how much variation in teacher expenditure per pupil is explained by size, but rather what might be the magnitude in dollars and cents of the economies of scale factor. The Michelson analysis concluded that a 5% per child scale economy was possible, and this led to the realization that schools more than 1,000 pupils different in size might have scale economies accounting for teacher expenditure per pupil differentials outside the 5% range. But this finding, of course, goes to the viability of the proposed remedy, and not to the early and clearly unfounded claim of defendants that the observed discrepancies were legitimately accounted for on the basis of economies of scale. I shall come back to the secondary question in the remedy section.

size of the class in which a given student finds himself and the salary paid his teacher. With regard to the average teacher salary component of teacher expenditures per pupil, defendants take the position that the different salaries paid teachers are primarily rewards for experience, and that experience has not been shown to have a significant correlation with a teacher's productivity measured by student achievement tests. The short response to this position is that defendants are seeking to reopen and relitigate an issue which has already been decided in the 1967 *Hobson* opinion.<sup>19</sup>

It is almost an affront to common sense to say, as do defendants, that a pattern of spending so discriminatory on its face as the one which exists in the District reflects no discrimination in "educational opportunity." To overcome the heavy burden against them, defendants lean in part on an argument by their expert, Dave O'Neill, that only teacher experience of six years and less has educational consequence. But even

19. "Defendants volunteered the information, confirmed by the Task Force report, that teachers in the 'older schools' with stable or declining enrollments,' namely, the white elementary schools west of the Park, have had significantly greater teaching experience than the faculties at the Negro elementary schools. \* \* \* Defendants, however, denigrate the significance of this attribute, picturing the young teacher fresh from the university who may predictably turn in the superior teaching performance. All this may be true, but it remains beyond denial that, other factors equal, experience is a real asset for a teacher, as it is for any professional. The Washington school system's pay scale, in proportioning salary to the number of years of teaching experience, is a testimonial to this fact. Moreover, it cannot be questioned that the initial few years of teaching make an enormous contribution to a teacher's competence. A superior percentage of teachers at the predominantly (85-100%) white schools, the Task Force report shows, have these vital first years of experience to fall back on. \* \* \*

269 F.Supp. at 434-435.





if this assumption, which O'Neill admits is really an "intuitive hunch," were true, the west of the Park school is still favored in that it has a higher percentage of teachers with six years or more experience than schools in the rest of the city.<sup>20</sup> Moreover, as the court reads them the rather inconclusive educational studies tell us only that teachers seem to be *overcompensated* for experience relative to their productivity. That is, researchers consistently find some relationship between experience and achievement, though not so great as is traditionally paid for. In the absence of more conclusive studies, large differentials such as exist in the District of Columbia cannot be condoned.

Moreover, the Board cannot be allowed in one breath to justify budget requests to the Congress and to the District of Columbia City Council by stressing the connection between longevity and quality teaching, and then in the next breath to disavow any such connection before the court. Speaking before the City Council on the subject of teacher

salary legislation, the chairman of the school board said:

"The Board recognizes that to achieve quality education in the District of Columbia public schools it is imperative that students must be housed in educational facilities conducive to learning and be taught by a highly motivated and well-trained teaching staff. It believes that in order to accomplish this objective, it must begin to offer a salary schedule attractive enough to retain its experienced master teachers. \* \* \*"<sup>21</sup>

Under these circumstances, where teacher experience has not been proved to be unrelated to educational opportunity, where the administration itself has chosen to reward experience, and where a pattern of racial and socio-economic discrimination in expenditures continues in the District, the law requires either that experienced teachers be distributed uniformly among the schools in the system or that some offsetting benefit be given to those schools which are denied their fair complement of experienced teachers.<sup>22</sup>

20. O'Neill Analysis at 9. Moreover, even accepting O'Neill's "intuitive hunch" *arguendo*, his own analysis, Table 3 at 16, shows that 68.3% of the teachers west of the Park, but only 60.4% of the teachers east of the Park, are "highest quality" as judged by the standard of six years or more of experience.

21. Statement of Mrs. Anita F. Allen, Chairman, Committee on Teachers' Salary Legislation, District of Columbia Board of Education, Before the City Council Regarding Teacher Salary Legislation, October 31, 1969, at 5. "First, the massive turnover rate of teachers must be stopped. And the District of Columbia schools can no longer afford to be a training ground for neighboring suburban school districts." D. C. Police, Firemen and Teachers' Pay Legislation Hearings before the Subcommittee on Fiscal Affairs of the Committee on the District of Columbia, United States Senate, on S. 1511, S. 2102, S. 2623, S. 2659 and S. 2679, November 15, 1967 and February 14, 1968, Statement of Dr. William R. Manning, Superintendent of Schools, District of Columbia Board of Education, at 119.

The other major component of teachers' salaries is graduate degrees obtained, and it is interesting to note that defendants do not allege inapplicability of this criterion, although it has fared less well than teacher experience in the studies which have been run to determine what makes a difference for pupil achievement. From defendants' submission "Degrees Held by Teachers—October 20, 1966," revised in pencil to October 16, 1969, plaintiffs have calculated that 21.6% of the teachers west of the Park have master's degrees or higher, while only 11.8% of teachers in Anacostia are similarly qualified. The court also notes that under the administration's salary scale, expenditures attributable to experience alone are not completely separable from those attributable to degree status. For these reasons, it would be impossible to frame an equalization order which excludes solely longevity pay.

22. At the same time they argue that the longevity component of teachers' salaries is unrelated to the effectiveness of their performance—an argument which I reject for the reasons outlined above—defendants seek to justify the current spend-





## Note 22—Continued

ing pattern and to prove themselves innocent of discriminatory intent by giving several alternative reasons why a policy which rewards longevity might be employed. In this regard, defendants seek first to "explain" the presence of the most experienced and most educated teachers in the schools west of the Park as being merely "historical." As the O'Neill analysis puts it, "old teachers tend to be in old (and therefore small) buildings," and it happens that the oldest buildings are west of the Park. The very fact that defendants would make this argument at this stage of the *Hobson* litigation indicates a misunderstanding of the 1967 opinion and the nature of plaintiffs' complaint. In 1967 this court found that defendants in their operation of the school system were in at least some important respects intentionally discriminating against poor and black children. Active discrimination was found in the use of optional zones and in the assignment of teachers to schools on the basis of race. The ensuing injunction against further discrimination necessarily required defendants to take an active role in undoing whatever discrimination then existed in the system as well as in refraining from further discrimination in the future. If the inequalities in access to important educational resources, demonstrated by plaintiffs in this second phase of the litigation, are not the product of a continuing discriminatory intent by defendants, then they are at the very least the product of a "freezing in" of earlier discrimination. As the Fifth Circuit has stated in *Henry v. Clarksdale School District*, 409 F.2d 682, 688 (1969), "a relationship otherwise rational may be insufficient in itself to meet constitutional standards—if its effect is to freeze-in past discrimination." The present unequal distribution of experienced teachers in the District of Columbia school system, clearly favoring the white and wealthier children west of the Park, can by no means, therefore, be justified at this time on the ground that the causes of this distribution pattern are "historical."

In addition to their attempted historical justification, defendants maintain that there are at least three sound theoretical economic reasons why length of service might be compensated in excess of its associated productivity increases. According to defendants:

"(1) Turnover costs supply a rationale for an age-earnings profile that starts with earnings below productivity and,

as experience accumulates, begins to pay wages in excess of productivity.  
\* \* \*

"(2) The market for teachers' services has a supply side as well as a demand side. Union pressures are another possible explanation for salary patterns. If more experienced teachers control the union, they will use negotiations to get high salaries for themselves relative to new teachers. \* \* \*

"(3) A third reason why the relative pay of experienced teachers may be higher than their relative productivity has to do with costs which are the same for all teachers, regardless of experience. Examples of such costs are hiring costs and the cost of providing a classroom for the teacher. \* \* \*

Any worry that shifts in teaching personnel necessitated by an equalization order "would breach the contract which has been effected with the Washington Teachers Union" (Benjamin Henley, Acting Superintendent of Schools, Supplemental Affidavit of August 12, 1970) is quickly allayed by reference to the contract itself which provides that "the fundamental transfer policy shall take into consideration the following factors: \* \* \* legal requirements as ordered by the courts or Congress" and that "if any provision of this Agreement is or shall at any time be contrary to law, then such provision shall not be applicable or performed or enforced, and substitute action, if any, shall be subject to appropriate consultation and negotiation between the parties." Article IV B and Article XXII A respectively. The other alternative reasons offered by defendants for rewarding experience without regard to productivity smack of *post hoc* rationalization, are extremely speculative, and are essentially makeweights. Without pursuing them in detail in this opinion, the court rejects them.

When this court held in 1967 that "if whites and Negroes, or rich and poor, are to be consigned to separate schools, pursuant to whatever policy, the minimum the Constitution will require and guarantee is that for their objectively measurable aspects these schools be run on the basis of real equality, at least unless any inequalities are adequately justified," the phrase "adequately justified" was included primarily so as not to preclude unequally large inputs for systematically deprived children denied the benefit of an integrated education lauded so highly in *Brown v. Board of Education of Topeka*, 347 U.S. 483, 74 S.Ct. 686, 98 L.Ed. 873 (1954); that is, while setting a minimum standard, the court did not





Defendants have also alleged that the observed variations in pupil-teacher ratios—the second and larger component of the widely disparate teacher expenditures per pupil—are of no consequence in terms of educational performance or opportunity. Without here going into this contention exhaustively, the court rejects it for much the same reasons as those given in the discussion of the value of teacher experience. The outside studies referred to in the Michelson and O'Neill reports are themselves inconclusive. There are so many other variables to be controlled in a study of the relationship between teacher-pupil ratio and educational product that the indefiniteness of the studies made to date is not the least bit surprising. To give only one example, the studies upon which O'Neill relies all concern achievement test results, and we do not know what the consequences of smaller class sizes might be on other measures of school outcomes. O'Neill himself has computed that "about  $\frac{2}{3}$  of the children in the D. C. system are in classes with pupil classroom teacher ratios of between 24.4 and 28.4. No empirical studies of school inputs could isolate any effect within this range of class size on educational quality."<sup>23</sup> But even accepting his findings *arguendo*, the negative implication

would seem to be that a third of the children in the system, or approximately 30,000 children, are in schools outside this pupil-teacher range, and that at least some empirical studies have found a discriminatory effect outside this range. In the absence of more knowledge about the effect of class size on productivity, the large variation which still exists in the sizes of classes in the District of Columbia cannot be condoned.

In the end the court finds itself most persuaded, once again, by defendants' own words, uttered before the lawyerly rationalization process began in earnest. In his supplemental affidavit of August 12, 1970, at 5, Acting Superintendent Henley stated that the "reduction of overcrowding has produced rich benefits; the primary one is the reduction in teacher-pupil ratios [*sic*], which maximizes opportunities for optimum teaching and learning." And again, in the program justification for the 1972 fiscal budget we read that "class size is one of the most important factors in maximizing education achievement. As discussed above, the teacher works with individual children, and the larger the span of control, or span of instruction, within the classroom, the more difficult it is to provide optimal instruction to each child."<sup>24</sup> Thus do defendants put

Note 22—Continued

wish to preclude the school administration from focusing, if it saw fit, on equality of output, in terms of giving each student an equal opportunity to attain his own unique potential, rather than on equality of inputs. But the minimum required was that there be an equality of inputs in terms of objective resources. Under injunction to refrain from further discrimination, defendants have failed to comply with this "minimum." The court having found that an unequal distribution of the most experienced and highly paid teachers in favor of the predominantly white west of the Park area *does* favor this area as well in educational opportunity, no excuse for this continuing racial discrimination short of a "compelling state interest" is worthy of this court's attention at this late date in the history of the case.

23. O'Neill Analysis at 37.

24. " \* \* \* Furthermore, as the overall pupil-teacher ratio increases, it becomes increasingly difficult to provide classes at all grade levels in small schools, and to balance out variations in student population in all schools, without resorting to some oversized classes. Under the current pupil-teacher level of 25:1, there are variations in class size of from ten to forty-five students, with over five hundred classes between thirty and forty-five students. A second teacher is assigned to some of the classes with over forty students." Fiscal Year 1972 Operating Budget Approved by the District of Columbia Board of Education, at 01-12a. In the same document, under the heading of "Alternative II, 'Minimal Needs Budget,'" we read: "Under this level of funding the present pupil-teacher ratio of 25:1 would be maintained. In addi-





themselves in the awkward position of asking to be applauded for their expensive efforts to reduce class sizes generally and of requesting funds for further reduction of class sizes under the rationale of productivity, while inconsistently maintaining for purposes of this litigation that no discrimination results when class sizes remain significantly smaller in west of the Park schools as compared with those in the rest of the city.

Plaintiffs' *prima facie* case of discrimination in the provision of educational opportunity, based upon the pattern of unequal expenditures which favors the schools west of the Park, is strongly buttressed by further evidence in the record concerning the results of citywide sixth grade reading achievement tests. The record shows that the west of the Park elementary schools produced an average reading achievement test score that was significantly higher—indeed 2.4 grades higher—than the average for the rest of the city.<sup>25</sup> Obviously, these results tend to corroborate the presumption created by the pattern of expenditures that the city provides a better educational opportunity to its richer, white students. Defendants' dubious argument that the smaller classes and higher proportion of experienced teachers in the schools west of the Park do not give students there a better chance for a good education than can be had elsewhere in the city is still less convincing in the light of this testing evidence.

tion, a pupil-teacher ratio of 20:1 would be established in thirty Target Schools, where the pattern of academic achievement is most deficient." *Ibid.*

25. The court has made this calculation from 6th grade reading scores which were part of the output of tests given in grades 3 through 9 during September 1970. The results of these tests were provided by Mr. Robert B. Farr, Director of the Pupil Appraisal Division, and are listed in the O'Neill Analysis at 52.

26. In an effort to diminish the discrimination against children in overcrowded schools east of the Park, this court in

These achievement test results suggest that not only are the children in schools east of the Park being denied an educational opportunity equal to those west of the Park, but also they in fact are not being as well educated. Thus these test scores reflect the result of the discrimination against the east of the Park children in per-pupil expenditure. The burden of establishing that these test results reflect something other than the proven discriminatory distribution of educational opportunity falls upon defendants. And once again defendants have failed to meet their burden.

In an effort to suggest to defendants the kind of evidence they should be presenting if they were to prevail, the court ordered *sua sponte* on January 28, 1971 that

"defendants file in the record not later than February 15, 1971 such statistics and studies as will show the effect of the voluntary busing program on the achievement test scores of the children participating. These statistics should be on a school-by-school basis so that the improvement, if any, of the children in each receiving school may be discerned."

The court's idea in issuing this order was that a study of the improvement or lack of improvement in achievement test performance by students in the voluntary busing program, by providing a control for the factor of socio-economic background,<sup>26</sup> would be probative of whether west of the Park schools provide

its 1967 decision ordered the Board to bus, on a voluntary basis, the primarily black and poor children from the overcrowded schools to the underpopulated, predominantly white and nonpoor schools west of the Park. Several thousand children have been participating in the program during the past three years. Achievement test results from these children taken before they left the sending school compared with their annual test results at the receiving schools would have provided an indication, at least, of any discrepancy in the quality of education available at the schools on one side of the Park *vis-à-vis* the other side.





a better education than schools in the rest of the city.

On February 16, 1971, however, defendants moved the court to rescind this order on grounds that it "imposes an unduly burdensome task upon the defendants and that the order will not lead to probative evidence." The gist of the memorandum in support of defendants' motion was that no systematic records of test results had been kept, and that those bused children who had been tested had been given different brands of tests for which conversion scales are unavailable—thus rendering meaningful comparisons impossible. While the court does not charge defendants with a lack of candor, it does seem incredible that a school system under injunction to provide equal educational opportunity to all its students would not have shown more interest in studying the effect upon individual student achievement of a voluntary busing program which permits students to transfer from allegedly inferior to allegedly superior schools. That defendants have failed to keep any systematic records of the achievement test results of these bused students raises questions about their effectiveness as administrators, if not about their good faith as parties to this case.

### V. Conclusions

Plaintiffs' motion for an amended decree and for further enforcement has now been argued and reargued via a series of motions and written memoranda for one full year. During this time the unfortunate if inevitable tendency has been to lose sight of the disadvantaged young students on whose behalf this suit was first brought in an overgrown garden of numbers and charts and jargon like "standard deviation of the variable," statistical "significance," and "Pearson product moment correlations." The reports by the experts—one noted economist plus assistants for each side—are less helpful than they might have been for the simple reason that they do not begin from a com-

mon data base, disagree over crucial statistical assumptions, and reach different conclusions. Having hired their respective experts, the lawyers in this case had a basic responsibility, which they have not completely met, to put the hard core statistical demonstrations into language which serious and concerned laymen could, with effort, understand. Moreover, the studies by both experts are tainted by a vice well known in the statistical trade—data shopping and scanning to reach a preconceived result; and the court has had to reject parts of both reports as unreliable because biased. Lest like a latter day version of *Jarndyce v. Jarndyce* this litigation itself should consume the capital of the children in whose behalf it was brought, the court has been forced back to its own common sense approach to a problem which, though admittedly complex, has certainly been made more obscure than was necessary. The conclusion I reach is based upon burden of proof, and upon straightforward moral and constitutional arithmetic.

As has already been documented, the record now before the court shows a current differential in teacher expenditures per pupil every bit as striking as the differential in total expenditures per pupil noted in the 1967 opinion. The record also shows that this differential, which favors the schools west of the Park, has increased in percentage terms from fiscal 1970 to fiscal 1971. Today in Washington the 74 per cent white schools west of the Park enjoy a 27 per cent advantage in teacher expenditures per pupil over the 98 per cent black elementary schools in the rest of the city.

Four years after this court's first *Hobson* opinion, defendants have by their own admission failed to equalize the access of all students to dollar resources for teachers' salaries and benefits. Although defendants have argued strenuously that there is no proven connection between the showing that black students have unequal access to dollars and the crucial constitutional showing





that black students are denied equal educational opportunity, the court has found otherwise. For reasons discussed more fully above, the court has concluded that both lower class size and greater teacher experience (at least in certain ranges present in this case) contribute to the quality of a child's education. The court holds that defendants have failed to rebut plaintiffs' strong *prima facie* case that, despite an injunction against further racial and economic discrimination in the operation of the school system, defendants have continued to offer an education of higher quality to the white and wealthier students west of the Park as compared with the black and poorer students elsewhere in the city.

[2,3] The court finds further that defendants have failed to offer the legal justification or compelling state interest necessary to overcome the presumptive invalidity of awarding benefits which affect the fundamental interests of and results in discrimination against a racial minority. Defendants argue, citing *Dandridge v. Williams*, 397 U.S. 471, 90 S.Ct. 1153, 25 L.Ed.2d 491 (1970), and *McInnis v. Shapiro*, N.D.Ill., 293 F.Supp. 327 (1968), *affirmed, sub nom. McInnis v. Ogilvie*, 394 U.S. 322, 89 S.Ct. 1197, 22 L.Ed.2d 308 (1969), that the rational relationship test should be applied to this case. But whatever the restrictive impact of *Dandridge* and *McInnis* on the reach of the equal protection clause with

regard to the poor, the law is clear beyond doubt that, where a racial minority is treated in a discriminatory fashion, there is a presumptive constitutional violation demanding exacting scrutiny by the court and imposing a heavy burden of justification on defendants.<sup>27</sup> Compare *James v. Valtierra*, 402 U.S. 137, 91 S.Ct. 1331, 28 L.Ed.2d 678 (April 26, 1971), with *Hunter v. Erickson*, 393 U.S. 385, 89 S.Ct. 557, 21 L.Ed.2d 616 (1969), in which the Court specifically stated:

"Because the core of the Fourteenth Amendment is the prevention of meaningful and unjustified official distinctions based on race, \* \* \* racial classifications are 'constitutionally suspect' \* \* \* and subject to the 'most rigid scrutiny' \* \* \*. They 'bear a far heavier burden of justification' than other classifications \* \* \*."

*Id.* at 391-392, 89 S.Ct. at 561. Moreover, as the cases establish, the court's duty to scrutinize alleged discrimination against a racial minority is especially high when the right of the minority affected is the right to equal educational opportunity. *Brown v. Board of Education of Topeka*, 347 U.S. 483, 74 S.Ct. 686, 98 L.Ed. 873 (1954); *Swann v. Charlotte-Mecklenburg Board of Education*, 402 U.S. 1, 91 S.Ct. 1267, 28 L.Ed.2d 554 (April 20, 1971). It is precisely the *Brown* requirement that public education be made available to racial

27. Both *Dandridge* and *McInnis* involved challenges to programs of statewide application. In *McInnis* a three-judge court upheld a statewide educational resource allocation formula which permitted school districts with a higher dollar value of taxable property per pupil to raise more money to support education than poor school districts. In addition to the crucial distinction that neither *Dandridge* nor *McInnis* involved allegations of racial discrimination, the court also notes that *McInnis* did involve the difficult problem of balancing a request for inter-district equality against a rational justification of inequality based upon the existence of local, inter-district diversity

and the need for autonomy as among local political subdivisions. The *Hobson* case is easier because it involves a single district and a request for intra-district equality only. In granting plaintiffs' request for relief, the court follows what has been the law of the land at least since *Plessy v. Ferguson*, 163 U.S. 537, 16 S.Ct. 1138, 41 L.Ed. 256 (1896). See *Wertz*, *Equal Opportunity in the Allocation of Public School Faculties*, 39 Geo.Wash.L.Rev. 341, 365-366 (1971). For a list of decisions by other courts requiring intra-district equalization see text at page 863 *infra*. See generally *J. Coons, W. Clune & S. Sugarman, Private Wealth and Public Education* (1970).





minorities on equal terms which plaintiffs seek to effect in *Hobson*. 347 U.S. at 493, 74 S.Ct. 686.

Whatever may be the differences in constitutional concern between purely *de facto* and purely *de jure* segregation, it is too late for defendants to suggest that discrimination of constitutional dimension does not arise where a school board has knowingly favored in an unjustified and substantial way predominantly white schools over predominantly black schools. Since 1967, following the rationale of *Hobson*, several of the circuits have rejected the rational relationship test in finding a violation of the equal protection clause where the state has acted affirmatively and where the direct effect of the challenged state action was inescapably discriminatory to the enjoyment of an important right by a racial minority. See, e. g., *Hawkins v. Town of Shaw*, 5 Cir., 437 F.2d 1286, 1291-1292 (1971); *Kennedy Park Homes Association v. Lackawanna*, 2 Cir., 436 F.2d 108, 114-115 (1970); *Southern Alameda Spanish Speaking Organization v. City of Union City, California*, 9 Cir., 424 F.2d 291, 295-296 & n. 9 (1970); *Norwalk CORE v. Norwalk Redevelopment Agency*, 2 Cir., 395 F.2d 920, 931-932 (1968); *Keyes v. School District No. 1, D.Colo.*, 313 F.Supp. 61, 82-83 (1970). Unlike these cases, defendants here are already under an injunction to refrain from discrimination. Thus defendants' burden of justification here is greater, and the court's duty to scrutinize defendants' actions is even more exacting.

## VI. The Remedy

To end this lingering invidious discrimination, it is time to find a remedy

which, in the words of *Green v. County School Board of New Kent County*, 391 U.S. 430, 439, 88 S.Ct. 1689, 1694, 20 L.Ed.2d 716 (1968), "promises realistically to work, and promises realistically to work now." (Emphasis in original.) The remedy must be one which can be easily understood and effectuated by the school administration and which will once and for all relieve plaintiffs of the burden of coming forth to demonstrate that discrimination continues. In framing relief, the court has kept these goals in mind and has relied upon the teaching of *Swann v. Charlotte-Mecklenburg Board of Education*, *supra*, that once a right and a violation have been shown, United States District Courts have exceptionally broad equity powers to shape decrees to meet the complex problems of protecting the constitutional right of school children to equality of educational opportunity. 402 U.S. at 16, 91 S.Ct. at 1276; and see *Johnson v. San Francisco, N.D.Cal.*, No. C-70 1131 SAW (Memorandum and Order Requiring the Parties to File Plans for School Desegregation, April 28, 1971). While accepting the Board's decision to maintain a neighborhood school system, and without requiring further mandatory busing, the court has sought to make a reality of its 1967 holding that

"if whites and Negroes, or rich and poor, are to be consigned to separate schools, pursuant to whatever policy, the minimum the Constitution will require and guarantee is that for their objectively measurable aspects these schools be run on the basis of real equality."

269 F.Supp. at 496.

Though defendants have objected strenuously to plaintiffs' suggested remedy,<sup>28</sup> it is significant that they have

28. Defendants oppose an equalization order on several grounds: (1) Defendants argue first that imposition of an equalization plan would conflict with the Academic Achievement Project, commonly known as the "Clark Plan" after its originator, Dr. Kenneth Clark. But the Clark

Plan, it must be remembered, would reward teachers, not schools. If in one year a certain school has more than its share of superior teachers, the most obvious way to compensate poorly performing schools, without destroying incentives to teachers, would be to distribute the





proposed no remedies themselves. The recent *Swann* case also teaches that, in default by the school authorities of their obligation to proffer acceptable remedies for constitutional violations, a District Court has the duty and the power to frame a remedy itself. 402 U.S. at 15, 91 S.Ct. at 1276. For reasons already discussed, the court finds that plaintiffs'

initially requested relief requiring equalization of total expenditures per pupil across the system would sweep too broadly and would require the school administration to equalize some inputs which have little or nothing to do with educational opportunity. But upon careful consideration, the court does find that the equalization order approach is a good

superior teachers equally throughout the system. This is the basis of school equalization, and it is manifestly compatible with redefining the criterion of teacher "quality" which, as this court understands it, is essentially all that the Clark Plan is designed to do.

(2) A related objection by defendants is that the proposed order would require mass teacher transfers and force upon black school children teachers who, despite long experience in white schools west of the Park, are either unsuited or disinclined to teach in a "ghetto school." Whether the school administration chooses to redefine the criterion of teacher "quality" or to stick by its current system of rewarding more experienced teachers on the assumption that they are better, quality teachers—however identified—should be distributed equally across the system. If, however, such distribution proves impractical, the proposed order is sufficiently flexible to permit alternative approaches to the problem of providing equal opportunity measured by objective inputs. If spreading the most highly paid teachers equally around the school system were in fact to prove the "devastating requirement in terms of personnel transfers and assignments" that defendants now fear, then, as has already been suggested in this court's show cause order of September 1, 1970, the "schools which do not have their share of such teachers [could instead] be compensated with a corresponding benefit." Both lower class size and higher teacher experience (at least in certain ranges) have a positive effect upon educational productivity. At the moment, the only way known to measure how much of one compensates for a loss in another is by their price. There is no doubt about the school department's right to assign a teacher to a school. However, if in practice teachers do not react well to this kind of policy, the compensatory policy is still viable. Children in poor schools can be compensated for not having equivalent quality teachers by having more teachers and thus smaller classes.

(3) Defendants have also attempted to demonstrate that the proposed equalization order would amount to "much ado about nothing." Even if blacks would gain from the Hobson proposal, defendants argue, the overall gain would be small. "The expenditure differential between all Negro and all non-Negro pupils comes to \$67.54." But "since Negroes comprise 95% of all students \* \* \* an equalization order would have the effect of raising expenditures of the average Negro student by only \$3.39." The flaw in this reasoning is discussed in text at page 863 *infra*. Defendants also state that an equalization order would mean deprivation of current resources for some poor students. According to defendants, approximately 40% of the free lunch students, or over 13,000 students, would suffer a withdrawal of educational resources since they are in schools which would fall above the 5% equalization mark. From the court's perspective this particular argument is a red herring, whether or not defendants' figures, which plaintiffs challenge, are correct. Once a finding of significant variations in expenditures is made, and once a finding is also made that these variations adversely affect the poor and black children in attaining their right to equal educational opportunity, it is wrong to dwell on citywide gains and losses or upon correlations or averages. The existing discrepancies in teacher expenditures per pupil at particular schools have very severe consequences for the students attending these schools, as has been demonstrated in text at page 863 *infra*. All considered, the court cannot agree with defendants that plaintiffs are seeking an "artificial, meaningless symmetry of expenditure figures." What plaintiffs have been denied and are now seeking—equal access to objectively measurable educational inputs—is simply the very minimum they are entitled to under the Constitution.

Having considered defendants' objections to equalization carefully, the court rejects them as being without merit.



one, provided it is focused upon expenditures per pupil for teachers' salaries and benefits, so as to cover only inputs which do have a direct bearing on the quality of a child's education.

Having found continuing substantial discrimination, the court cannot agree with defendants' expert that an equalization order would amount to "much ado about nothing."<sup>29</sup> Defendants stress that implementation of the proposed order would result merely in an increase of \$3.39 per black child across the city.<sup>30</sup> But looked at from the perspective of individual disadvantaged schools and children, the impact of the observed unequal spending is seen to be very serious indeed. Defendants' figure of \$3.39 per child masks the fact that some individual black schools are shockingly far below the citywide average expenditure per pupil level. Thus, to take one of many possible examples, if teacher expenditures per pupil in fiscal 1971 at the Draper School (actually \$362) had been at the citywide average (\$497), they would have increased by \$135 per pupil. The increase in total teacher expenditures would then have been approximately \$147,000. Under salary scales currently in effect, this would have permitted the addition of perhaps 15 new teachers at Draper. This addition would have reduced the pupil-teacher ratio from the present 25/1 to 18/1.<sup>31</sup> Even defendants' expert seems to concede that such a reduction has a beneficial effect on school outcomes when measured by achievement test scores.

A review of relevant cases reveals that many courts have ordered equalization of per-pupil expenditures in all schools within a single school district, and that such an order provides a judicially manageable standard. See, e. g., *Kelley v. Alheimer*, 8 Cir., 378 F.2d 483, 499

(1967); *United States v. Jefferson County Board of Education*, 5 Cir., 372 F.2d 836, 899-900 (1966), *affirmed per curiam on rehearing en banc*, 380 F.2d 385, *cert. denied*, 389 U.S. 840, 88 S.Ct. 67, 19 L.Ed.2d 103 (1967); *United States v. Plaquemines Parish School Board*, E.D.La., 291 F.Supp. 841, 846 (1967), *affirmed as modified*, 5 Cir., 415 F.2d 817 (1969); *Hill v. LaFourche Parish School Board*, E.D.La., 291 F.Supp. 819, 822-823 (1967); *Lee v. Macon County Board of Education*, M.D. Ala., 267 F.Supp. 458, 488-489, *affirmed, sub nom. Wallace v. United States*, 389 U.S. 215, 88 S.Ct. 415, 19 L.Ed.2d 422 (1967). And see also the Department of Health, Education and Welfare Memorandum to Chief State School Officers: "Subject: Advisory Statement on the Development of Policy on Comparability," regarding implementation of the 1970 amendments to the Elementary and Secondary Education Act, September 18, 1970, page 7 *et seq.*

Under all these circumstances, the court believes it should now use its broad equitable powers to set a standard for expenditures which will not interfere with the successful operation of the school system but which will ensure that it operates in a substantially nondiscriminatory fashion.

Wherefore it is ORDERED, ADJUDGED and DECREED that

1. On and after October 1, 1971, per-pupil expenditures for all teachers' salaries and benefits from the regular District of Columbia budget (excluding Title I ESEA funds, UPO funds, and, in general, all funds not from the regular congressional appropriation) in any single elementary school (not "administrative unit") shall not deviate by more than five per cent from the mean per-

29. O'Neill Analysis at 38.

30. *Ibid.*

31. These calculations are based upon the most recent data at the court's disposal.

The calculations include kindergarten and prekindergarten students and regular and itinerant teachers, but exclude counselors and librarians.





pupil expenditure for all teachers' salaries and benefits at all elementary schools in the District of Columbia school system as that mean is defined in this paragraph. The five per cent limit may be exceeded only for adequate justification on an individual school basis shown to this court in advance. "Adequate justification" shall include provision of compensatory education for educationally deprived pupils at certain schools or provision of special educational services for the mentally retarded or physically handicapped at certain schools or for other "exceptional" students. It shall also include a showing that variance above or below the five per cent limit is accounted for *solely* on the basis of economies or diseconomies of scale. For purposes of this order, the "mean" shall be computed *after* excluding from the computation total expenditures for all teachers' salaries and benefits and total average daily membership at all schools for which permission to exceed the five per cent limitation because of compensatory education or education of "exceptional" students is sought and granted.

2. By October 1, 1971, by June 1, 1972, and by October 1 of each succeeding year thereafter, defendants shall serve on plaintiffs and file with the clerk of this court information sufficient to establish compliance with this order for equalization of per-pupil expenditures for all teachers' salaries and benefits. At a minimum, such information shall include, in tabular form for *every* elementary school (*not* administrative unit), data in the following categories: (a) Name of school; (b) income level of the neighborhood from latest available United States census data; (c) average daily membership; (d) total number and percentage of students of each race as of a date not more than 30 days preceding the filing deadline; (e) building percentage over- and undercapacity and surplus or deficit of seats based on data filed in answer to category (c) above; (f) total number of teachers (for purposes of this calculation the only teachers to be included shall be those whose sal-

aries and benefits are included in items (j) and (k) below); (g) pupil-teacher ratio (item (c) divided by item (f)); (h) total operating expenditures from the regular District of Columbia congressional appropriation only; (i) per-pupil operating expenditures from the regular District of Columbia congressional appropriation only; (j) total expenditures for all teachers' salaries and benefits from the regular District of Columbia congressional appropriation only; (k) per-pupil expenditures for all teachers' salaries and benefits from the regular District of Columbia congressional appropriation only; (l) total expenditures from impact aid funds; (m) per-pupil expenditures from impact aid funds; (n) total expenditures under Title I of the Elementary and Secondary Education Act of 1965; (o) per-pupil expenditures under Title I of ESEA; (p) total expenditures from UPO funds; (q) per-pupil expenditures from UPO funds; (r) total expenditures from all sources; (s) per-pupil expenditures from all sources.

The tabular form shall also include the mean as defined in paragraph 1 above, together with the upper and lower dollar bounds from that mean computed by adding to and subtracting from that mean five per cent of that mean.

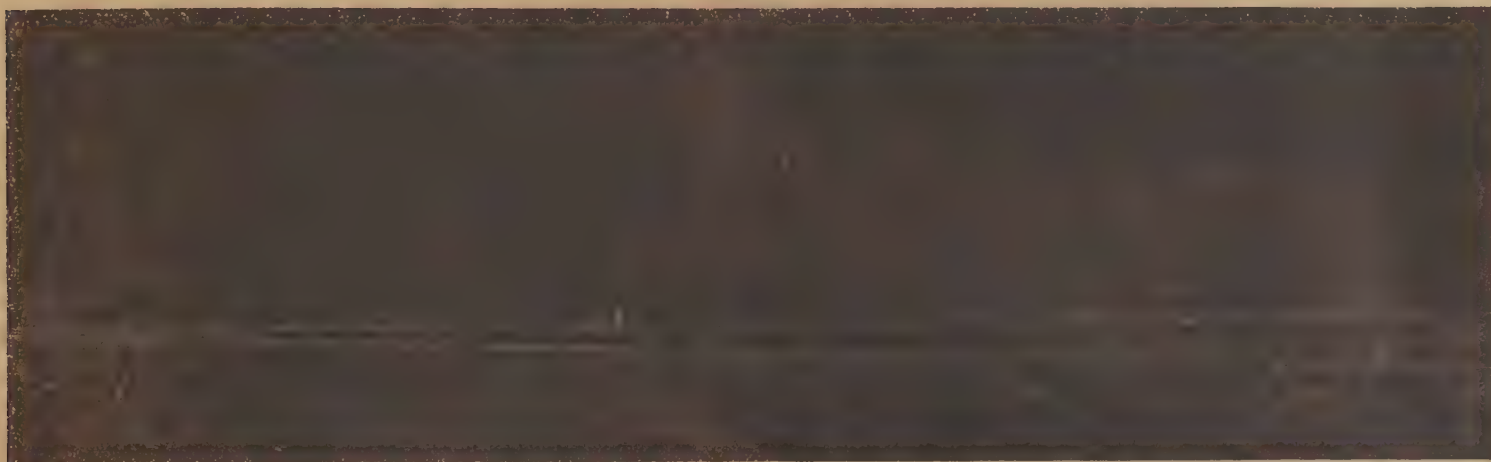
3. In each report filed and disseminated pursuant to the requirements of paragraph 2 above, there shall be prominent and specific identification of the respects, if any, that the methods of computing the data in that report differ from the methods used in computing the comparable data for the preceding year.

4. At some future time, the Board and the school administration may adopt specific, measurable and educationally justifiable plans which are not consistent with the present order. At such time, upon a *prima facie* showing that the plans are reasonably designed in substantial part to overcome the effects of past discrimination on the basis of socio-economic and racial status, the court may modify the present order.





# HOW TO MEASURE A SCHOOL'S PERFORMANCE



*A startling yardstick, as simple as it is bold, tells how to determine which schools in your district are making it—with answers to some of the questions that are sure to be raised.*

Which school in your district is doing the “best” job of educating the youngsters committed to it?

Are some of your schools better at teaching children than are others?

There’s an easy and meaningful way to find out, according to Edward Wynne, policy and procedure staff specialist with the U.S. Office of Education.

If the technique, developed by various educators and researchers, is applied, says Wynne, who is also an attorney, the result will be an “enormous stimulus for school improvement.”

It all seems simple enough: Collect data in a district that describes the socio-economic characteristics of the pupils in particular schools (family income, race, whether both parents live at home, level of education in the household, and so forth).

It can be even easier than that, according to Wynne. You might be able to get what you need by sampling (instead of collecting data on every pupil), provided that the sampling is honest and scientific.

Once the data is collected, use it to identify some “comparable” schools in your district (those with the same socio-economic groups of youngsters).

Then administer periodic objective academic achievement tests to all pupils in the “comparable” schools (or, perhaps, to just sample groups of the youngsters).

Voila! The school that produces the best scores is the most productive in its group. Make the results public, of course.

★ ★ ★

Well, maybe.

There are just a few questions (like at least 20 that the JOURNAL posed to Wynne) that school board mem-

bers and administrators might want to ask before they start “comparing.”

Try these:

**JOURNAL:** Won’t schools be inclined (and, perhaps, even be under pressure) to teach children for the test, rather than to educate them?

**WYNNE:** To an extent, yes. But that’s not necessarily bad. Presumably, it’s desirable for children to perform at about the reading and math level that corresponds to their grade. Many children—especially disadvantaged children—can’t. It’s also desirable for children to develop skills in test taking. Most middle class pupils are taught that—maybe the absence of this skill is part of being disadvantaged. The feeling of having “beaten” the test is an important ego support. But, mainly, good scores on well-designed tests show substantive skills.

**JOURNAL:** What “achievements” will be tested?

**WYNNE:** Surely reading and math. In the longer run, anything else we want children to learn, and which we have the ingenuity to measure with reasonable precision. Right now, one state even is experimenting with tests that try to measure the quality of vocational orientation pupils receive.

**JOURNAL:** Does that mean that these techniques eventually ought to cover all knowledge that schools ought to impart?

**WYNNE:** Probably not. Some effective skills may be too subtle. But the technique is easily adoptable wherever schools and children are far behind in cognitive

(Continued on next page)





*"Aren't board members and parents, who own the schools, entitled to at least as much information as corporate stockholders are given?"*

skills. Its significance in other contexts would develop through evolution.

**JOURNAL:** But won't that produce excessive emphasis on drill, rote and other techniques that aren't necessarily desirable?

WYNNE: That depends on your estimate of why children learn—or don't learn. A number of researchers believe motivation is the key to all types of learning. If this is correct, those schools that aim at motivation—rather than memorization—will tend to produce better results, and their methods will be duplicated. The tests do not determine what instruction methods must be used. They only measure the output of the methods, and, hopefully, stimulate the adoption of more effective teaching techniques.

**JOURNAL:** Won't some schools seek to hide or distort data, so they'll look better?

WYNNE: Maybe. That happens whenever data is used to assess or direct an enterprise. But, if "honest" data is important to assessment, "systems" can be designed to ensure that honest data is collected. Fiscal accounting is the product of evolution and was not perfect all at once. We may see the development of the educational equivalent of the CPA.

**JOURNAL:** If the data is publicly released, won't it cause needless embarrassment and tension?

WYNNE: That's an eternal issue. Any time achievement is recognized and merit identified it's possible that judgments may be made on inadequate information, or data can be misinterpreted. Therefore, initial conclusions must be tentative and conditional.

But, unless the board and parents are informed about productivity, it's possible that administrators may be reluctant to press for the types of changes the data may suggest. Anyhow, board members and parents ultimately run schools, pay for schools, and their children are most affected by school productivity—aren't they entitled to be told as much as any corporate stockholder? In the long run, it's unrealistic to expect that such data will be kept secret—and releasing it via rumors and leaks will produce the most harmful effects of all.

**JOURNAL:** What good can productivity measures do on the school district level?

WYNNE: Help identify comparatively more and less

productive schools. The less productive can then learn from the others; the more productive will be encouraged to persevere. They can give schools and principals additional incentives for attempting uncomfortable innovations—the potential for a productivity gain may make more tolerable the tensions that often arise when something new is tried. They can permit school decentralization and flexibility—if districts can measure and evaluate principals by "academic productivity," they may be more willing to give them (and local parent groups) discretion in day-to-day decisions, as long as they can measure their success in the end. They can diminish parent suspicion toward central administration, since parents will receive data that will permit them to estimate school performance, in a context that will convince them, the board's pushing for improvement. Productivity measures can provide the data to develop reward systems to identify administrative and teaching talent and channel it into difficult schools—more praise, promotions and prestige (and salary) can go to the principal and staff of the "top" school in the "Harlem cluster," that keeps poor kids at norms, than to the "middle" school in the "Queens cluster," that keeps its kids a year ahead. The goal is to create powerful incentives for productive change.

**JOURNAL:** Exactly how would a school district introduce such a technique?

WYNNE: The process of introduction would vary from district to district. In part, it would depend on the types of data already being collected. In many cases, the superintendent or board would designate some outside agency or person to report to them on the types of data or tests needed to try out the technique. This consultant would take special pains to find out from administrators and teachers their ideas about what factors outside the control of principals—level of expenditure, student body, specially financed programs—account for differences in performance. He would try to ensure that data was collected to show whether such differences exist, and to see whether the differences relate to differences in school performance.

After consideration of this report by the board, and probably parents' groups, the technique would be put into effect—on a trial basis—in some schools. The exact methods to be used in data collection and testing would be suggested in the report. The superintendent (and perhaps a board committee) would stay in touch with developments. As things proceeded, changes in application of the technique would undoubtedly be necessary, as questions arose about (a) the appropriateness of particular tests and socio-economic data, (b) the accuracy of the information produced and (c) the conclusions that could be deduced from the data. It might be two or three years (at least) after a "first step" before most schools were "covered," or important decisions were made from the data.

**JOURNAL:** Can you say more precisely what steps





**might be recommended by a consultant to a school district?**

WYNNE: There will—inevitably—be local variations, and improvements over time. Nevertheless, a recent survey of a sample of Title I, ESEA, schools conducted by the U.S. Office of Education, gives an indication of the types of data required. The survey collected data on children in grades two, four and six. It could also have covered higher grades. Teachers in these grades were supplied with forms and explanatory booklets. The booklets described how teachers should select a sample of about 20 percent of their class, and explained how to complete the information form on each selected pupil.

The form asked for the pupil's age, sex, attendance record, when the pupil enrolled in this school, when the teacher first became the pupil's teacher, the occupation of the head of the pupil's household (keyed to a code outlined in the booklet), an estimate of the yearly income of the pupil's family, whether either or both parents work, an estimate of the number of persons in the pupil's home, an estimate of the education level of each of the pupil's parents, the types of dwellings in the neighborhood of the pupil's home, and so forth.

The Office of Education evaluation was not keyed to a uniform achievement testing structure; but, to apply it in the manner I've suggested, it would be necessary to collect timely test scores on all the sampled children. The test could be administered either to only these children, or to all children (and the scores of the sample children extracted and melded with the other forms).

The teachers were also asked to complete forms about their education, length of experience, the comparative standing of the college at which they did their undergraduate work, their estimate of the earning levels of the households of different proportions of their pupils, the size of their class, amount of annual pupil turnover, and so forth.

The principals were asked to supply data about annual expenditures for the school, number of pupils, size of library, and so forth.

If some of this information were centrally available on an up-to-date basis, it might not be necessary to collect it in each school. Almost all the questions were in a format that elicited answers that could be computerized. The data and test scores collected from this system can be processed to produce the reports I've discussed. Incidentally, in describing student performance, it's probably important to discuss the performance of children at a certain age, rather than grade—the type of promotion policy followed by a district or school can significantly affect whether a greater or lesser proportion of children are reading at grade level; but a 12 year old in third grade and reading at third level is not necessarily performing better than another 12 year old in seventh grade and reading at sixth grade level.

**JOURNAL: Would the data system be expensive to maintain?**

WYNNE: If the data is not now being collected, then schools are being managed without objective evidence whether children are learning, or how well. Such ignorance is probably the most costly step possible. Can any enterprise—except a church—be run without data to assess its performance? I assume the long run costs of data collection and analyses will be comparable to those of a business enterprise of equivalent size. Hopefully, the collection of output data will make it less necessary to collect much of the non-performance data we now amass. Finally, the Office of Education has offered, within the limits of its resources, to supply technical assistance for evaluator training programs.

**JOURNAL: Do these techniques have any relation to so-called program budgeting systems?**

WYNNE: Yes. A great deal. Program budgeting attempts to concentrate funds into the most effective (or short-changed) programs. Without performance data we don't know about the effectiveness of programs and it is impossible to make such allocations. Of course, program budgeting also envisages collecting interrelated data on *both* performance and expenditures, and is thus more elaborate than the technique I suggest; but collecting performance data is a logical first step.

**JOURNAL: Is there any research, literature or other activities concerned with this approach?**

WYNNE: Yes, lots of things are going on. This past spring, the Pennsylvania State Department of Education inaugurated a statewide testing program (based on a sampling technique) covering about 3,000 students to assess the performance of that state's public schools.

The tests used are broader than just traditional achievement tests, and attempt to evaluate outputs, such as acquiring good health habits, and developing productive attitudes toward students' vocational goals—as well as reading and math skills. New York state has a related plan under consideration. The information collected in Pennsylvania and New York will include socio-economic data on pupils' families. The Philadelphia school district is planning to compensate its principals on the basis of their school's productivity, considering factors such as test scores, socio-economic data, and so forth. Spokesmen for the Poor Peoples' Campaign have asked the Office of Education to use its leverage to compel school districts to release reading scores and other indices of performance by school and grade. The "Report of the National Advisory Commission on Civil Disorders" (Kerner Report) also recommended that median achievement tests per school should be made available to parents. The city of Co-

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*For an explanation of this chart, see "Proceedings, First Meeting of State Advisory Committee on the Assessment of Educational Quality," February, 1968, Pennsylvania State Department of Public Instruction.*





*If you aren't right now collecting the data you'll need for this measurement, your schools are being managed without objective evidence of performance."*

lumbus, Ohio, has just adopted a continuing, output oriented, school evaluation procedure in which laymen and administrators will work cooperatively. The San Mateo district in California applies a slightly different (and more elaborate) type of output measurement orientation—efforts are made to assess the learning potential of each child, and aim to ensure that each child learns 100 percent of the information and skills that are appropriate to his potential. Dade County, Florida, has received a grant to develop a comprehensive program budgeting and evaluation system.

A good survey of relevant research is contained in "The Relative Impact of Instructional Variables: Policy Implications of Research" by Hendrick D. Gid-  
onse, The Record-Teachers College, April, 1968. The Office of Education report on "Equality of Educational Opportunity" (Coleman Report) contained useful basic insights. Coleman himself, in a later article, suggested that test scores, keyed to socio-economic data, might be a good tool for compensating private contractors (on an incentive basis) for teaching poor children. Coleman, however, because he believed "the school is trapped by its own organizational weight," did not believe that school systems were capable of radical adaptation; hence, his preference for applying new goals via private contractors. A report prepared in the Office of Education is perhaps one of the most refined attempts to consider statistical techniques for evaluating the performance of schools with students having homogeneous family and community backgrounds. It's called "Correlational and Regression Analyses of Difference Between the Achievement Levels of Ninth Grade Schools" Analytical Note No. 85, National Center for Educational Statistics.

**JOURNAL:** We're overwhelmed. But one question keeps nagging us: If your proposal is worthwhile, why didn't somebody try it earlier?

WYNNE: Schools have been evaluated by median achievement scores in the past, but there's been a general recognition that these techniques are unsatisfactory because they do not allow for difference in the family and neighborhood environments of pupils. It was the development of computers that greatly increased our sensitivity to the possibilities for such refined statistical analyses. Indeed, essentially the same statistical technique proposed has been used with computers in various inter-school district surveys, such as the Coleman report, Project Talent, and the Pennsyl-

vania statewide survey. Computers might not be essential to an intra-district effort such as I suggest, although they could undoubtedly be useful.

**JOURNAL:** Other developers have applied this approach on an interstate (the Coleman Report) or single state (the Pennsylvania survey) basis. Why do you propose to apply it within single school districts?

WYNNE: A large school district is the simplest unit for applying the approach; it's easier to make meaningful comparisons between schools in the same district than between schools in different areas; differences that appear in intra-district comparisons are most likely to be attributable to differences in school administration than to differences in community values, levels of school funding, and so forth; it's easier to imagine changing school administrative practices than these larger factors. In addition, school districts are the basic units for managing schools; it's most logical for a district to set up account books on the schools within its jurisdiction; state educational departments only indirectly set school policy.

**JOURNAL:** Could the approach be of value to smaller school districts?

WYNNE: Yes, if the district is willing to work together with neighboring districts to develop a cooperative framework for measurement.

**JOURNAL:** Might the technique unfairly spotlight slum schools, which often have poor scores?

WYNNE: The technique aims to compare schools with roughly similar student bodies. Some slum schools are doing better than others; they deserve credit; today, their achievements are unknown or ignored. Perhaps even these schools don't have their children's scores above national averages—but schools, at present, can't correct every handicap children face. Let's make sure that all slum schools equal what the best ones are doing (which will require us to identify the "best")—at the same time, by isolating what's working, we can help the "best" get better.

**JOURNAL:** But teacher groups remain essentially opposed to "merit" rating.

WYNNE: The technique evaluates schools, not teachers. It is hard to rate teacher productivity (there can be many innate differences between two groups of 30 kids). But individual schools, with 300 to 600 children, are large enough units for useful comparison. If we are measuring any person's performance, it's that of the principal (or "plant manager"). Whether—in the long run—principals will get "productivity bonuses" is unsettled. Right now, productivity testing itself will be a significant incentive.

**JOURNAL:** Do principals have differences in style that affect productivity?

WYNNE: Research suggests the good ones do. In addi-







## Education is fall guy for budget slashes

If the Senate has followed in the footsteps of the House of Representatives, more than \$600 million for educational programs alone will be slashed from HEW's 1969 budget.

But even so, USOE will have \$588 million more than was available in the 1968 fiscal year.

The massive cut—part of the \$6 billion reduction in all federal spending required by the new tax-spending law—will sting. Local school districts will be badly bruised, but those with concentrations of poor children will feel the most pain. Reason: ESEA Title I was hit so hard that local districts will have to cut back their Title I programs immediately.

A look at some of the education programs trimmed by the House Appropriations Committee shows where the blows fell:

*Title I, ESEA*—\$1.06 billion approved; that's \$135.8 million less than requested, a sum less than half the amount authorized to begin with. Although several attempts were made to restore Title I funds on the House floor, only one succeeded: \$9 million for Indian

schools. Congress continually has changed the formula for Title I, making more children eligible, without increasing appropriations.

*Title III, ESEA*—down to \$177.8 million, \$11 million less than last year.

*Title VII, ESEA* (bilingual education)—no funds.

*Title VIII, ESEA* (dropout prevention)—no funds.

*Federally affected areas*—decrease from \$420 million appropriated in 1968 to \$382 million for 1969. A House amendment to add \$138.8 million to P.L. 874 was passed.

ESEA Title II, the Education Professions Development Act, Teacher Corps, programs for vocational education, handicapped children and adult basic education received slightly more money than in 1968 but considerably less than requested by the President.

No funds were provided for education programs lacking legislative authorization for 1969 at the time the appropriations bill was considered by the House. Among them: grants for community college construction and for purchase of classroom equipment under Title III of NDEA. If authority for these programs is renewed, funds will be appropriated either at the end of the congressional session or early in the calendar year 1969.

All in all, elementary and secondary school activities—faced with a reduction of \$200 million from budget requests—will be short \$356 million compared to 1968.

That \$200 million really isn't a meaningful figure, claimed the House Appropriations Committee, because it doesn't reflect cuts due to "transfers, expiration of authorizing legislation for certain programs and other adjustments." If you compare the

latest figures with amounts actually obligated for 1969, the committee noted, the real elementary and secondary school cut amounts to more like \$186 million. So they say.

Rule of thumb in making the cuts: deny requests for funds to start new grant programs.

In spite of organized efforts by school board members, administrators, their national and state organizations and other individuals and groups, massive education cuts were almost unavoidable. Here's why:

Once President Johnson made it clear he would accept a \$6 billion cut in federal spending in exchange for a tax increase, HEW was indeed vulnerable.

Of the \$186 billion national budget, appropriations for defense, Viet Nam, social security and the national debt received immunity from slashing. Some Congressmen suggested lopping \$3 billion off the Viet Nam budget—an unlikely course since the U.S. never in the past has trimmed appropriations for defense.

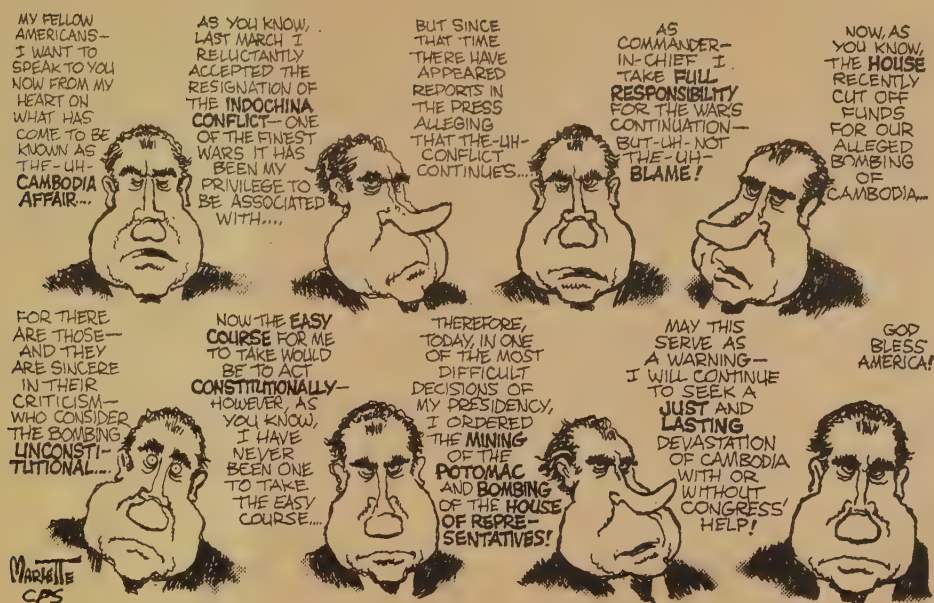
That meant the \$6 billion cut had to come from other areas whose combined budgets totaled around \$40 billion. For obvious reasons, agriculture, HUD, NASA space program couldn't be hit too hard.

Pork barrel projects were out of the question, so HEW was predestined to be one of the fall guys. Before the House Appropriations Committee applied the blue pencil, welfare programs already were trimmed to the bone, leaving education and health to share the brunt of any cuts. From our vantage point, education got more than its share.

What this all portends is simply this: Don't expect the Senate to play fairy godmother by restoring funds slashed from education programs. It's past midnight. □







## Dr. Strangemayor's command center

The following interview with Commissioner Washington appeared in "Survival," the newsletter of the Defense Civil Preparedness Agency, Region 2. The newsletter's cover includes the slogan: "The name of the game is Communications and Public Relations." Walter Washington's description of his command center is noteworthy for two reasons. The first is that the interview stands as a small monument to the Commissioner's ability to say nothing at some length, and to do so in a literary style that might best be described as Eisenhower Renaissance. The second reason is that through the verbal smog one can perceive the disturbing form of a city run by a police and military command center where the chief executive secludes himself during crises, watching from a leather chair as decisions are made for him.

**Q.** MAYOR Washington, here in the unique area of Washington, the Nation's Capital, how effective do you find your emergency operating center and would you change it, be without it, and what does it mean to the citizens of the District?

**A.** I think the way it has developed, the sophistication, and the capability that a city like Washington, the Nation's Capital where people come in great numbers, it is an essential tool in order to focus on the problems that are characteristic in nations capitals. What that means is, what we have been able to achieve with George Rodericks [DC Civil Defense Director] and his staff is the development of the capability to quickly assemble all of the resources and all the relative information that permits you to make good decisions. Without that input, the ready information, of course, the decisions are no better or could be no better than the information that you get. Of course it works beyond that on a day-to-day basis through its same capability keeping in touch with situations, keeping in front of them so that you can respond appropriately and the most important thing of course is its location in the Nation's Capital where people come to exercise the First Amendment, come in great numbers and often. Our approach is to

try to accommodate that and at the same time maintain stability and security of the city and its citizens. Through this medium we have the opportunity to do it properly, to do it with a minimum of inconvenience to citizens and certainly without violence to a great degree which is so important. We have had numbers up to a quarter of a million and we have been able to accommodate the situation without bloodshed, without violence to me and without destruction to our great city. We have, and I think, the citizens have accommodated to it. They understand it, they participate in it which is a very important ingredient around our table. We have representatives from all settlements of our community and virtually all walks of life who participate in this process which is part of the stabilization process. I just can't imagine operating without it. You see the things so many people forget is that we are accommodating something like 20 million visitors who come as tourists and at the same time we are accommodating the other citizens who come to exercise the right of the First Amendment; and the command center of George Rodericks has been able to identify and to keep apart the varying reasons that people come to the city so that each can enjoy the purpose of his coming to the city and this isn't an easy task. The true ability which our command center has developed is, I think, one of the bright spots of our city and in our nation as hundreds

"WE HAVE BEEN ABLE TO ACCOMMODATE THE SITUATION WITHOUT BLOODSHED, WITHOUT VIOLENCE TO ME AND WITHOUT DESTRUCTION TO OUR GREAT CITY."

and hundreds of people come in from other cities, experts and technicians to see the system and to see it unfold in critical and normal circumstances. I think the important thing is that we are ready to go. We don't look upon this as a crisis operation; we look upon it as an operation that serves day by day giving us the best decisions and the best resources for making those decisions.

"MR. RODERICKS HAS ORGANIZED ME SO THAT WHEREVER I AM I HAVE A MINI-COMMAND CENTER WITH ME. . . HE DOESN'T ALLOW ME OUT OF HIS SIGHT OR HEARING RANGE. HE ARRANGES ME WELL. . ."

**Q.** I understand that you are going to have quite a group of demonstrators here on Tuesday. Will you find yourself at the Command Center during that period of time?

**A.** That depends on the situation and on a good number of circumstances. Our usual process is for Rodericks to keep in touch with the situation, the nature of it, the numbers, the problems of moving in and moving out, the difficulties that we may have traffic wise, otherwise, and we make a determination then on whether it may be necessary for me to be there. You must understand a telephone jump at his Command Center is right here in my office so that we can function in this regard. However, when the situation gets a little more critical then I take my post at the Command Center, so that I am able to monitor the entire city as the information and material is brought in based on the circumstances, but Mr. Rodericks has organized me so that wherever I am I have a mini-command center with me as I have communications in the car, at home, in the office. He doesn't allow me out of his sight or hearing range. He arranges me well, but based on his analysis we make a number of decisions in terms of total surveillance of the situation and he is the first to advise me about the nature of it so that when the decision is made, I may be easy to reach at any time 24-hours a day whether the center is open or not, he has also worked that out.

So I regard this as a most essential, most effective, most significant service to the citizens because it permits me to make judgements and decisions that are sound under the circumstances and their interest and in the interest of preserving the order and security of the city.

**Q.** Do you feel that since you have the command center that the citizens realize how



valuable a tool they have working for them? Has it been made visible to them?

A. I don't think we are as visible to the members of the community as the services that impact directly. Virtually in an emergency like a recent problem with the jails most people transfer their attention to the Command Center because the word goes out that I'm there, and that becomes a focal point for the government, in other words, the government moves to the Command Center and that's when people call for instance to my own office here in the District Building the calls begin to filter into the Command Center lines.

We had situations which have gone on for two or three days around the clock where there, you know drinking coffee and eating sandwiches for three days and the visibility of it may not be the same as in the sense of people realizing that everyone knows where we are and everyone knows that something is happening from that point, everyone knows where to get a decision, or where to get something taken

care of and it goes all the way from where to find a medical unit to cleaning the streets of trash and that it all comes out of that one central spot where you can get service.

Q. Do the citizens realize they are as dependent upon you as they are when the various groups of demonstrators come into D.C.?

A. They know through permits and other things. But you are right about that and you raise a good point and the reason I think that it is even better they don't always keep it on a finger tip. Because the role of it is to keep matters relative calm and to the extent that you do, you are able to perform much better and so that element is built into our whole plot.

Q. How effective do you feel your Command Center is?

A. You see if you have citizens each day in their normal life and normal activities thinking the command center is down there and what is happening now, the crisis is happening now, you have a normal set of circumstances. The sophistication which Mr. Rodericks has

"THE COMMAND CENTER GOES TO BED WITH ME AND THAT'S THE NATURE OF THE ACTIVITY."

put into this permits us to know in most any situation we are on hand, we are ready, and we are prepared and we are ready to go without having any feeling that we are up tight about something that we don't know about.

Q. Do you consider your daily involvement serving the same purpose as tests and exercises?

A. That's right. When I get into my car for instance, I check in and they know I have left the building, that I am in or out of some place, when I get out of the car at my destination, I check in, they know where I am. You know, George has wired me for accounting for my whereabouts.

Q. Do you ever have a minute alone?

A. My wife says I don't — the Command Center goes to bed with me and that's the nature of the activity.

## Hobson tops Gazette poll

JUDGING from the results of the Second Annual Gazette Poll, nobody's doing very much for the city these days. In fact, the only individual or group respondents could work up any enthusiasm for was Julius Hobson who despite a serious illness has remained a force in city affairs. Nearly a quarter of the poll respondents failed to list any individual or organization as having done the most for the city in the past year, indicating that the city is drifting aimlessly in a Nixonian Sargasso Sea.

In the individual category, Hobson got 35% of the possible number of votes. Hilda Mason and Peter Craig, tied for second place, were far behind with only 5% of the possible vote.

Among those who showed up in last year's poll who were missing this year were Marion Barry, Sammie Abbott, Charles Cassell, Bruce Terris and Ron Dellums.

In the category of organizations that have done the most for the city, the DC Statehood Party was first with a weak 7% of the vote, followed by RAP Inc., and the Washington Redskins. Last year's first-place winner, the Emergency Committee on the Transportation Crisis, did not show up this year; neither did Pride, Don't Tear It Down, the Metropolitan Washington Planning and Housing Association or the League of Women Voters.

Poll respondents were far more certain who had done the least for the city in the past year. Richard Nixon got 33% of the possible vote, followed by Jack Nevius and Walter Fauntroy. Last year bad guys John McMillan and O. Roy Chalk managed to escape by leaving town. Fauntroy moved up from 7th on the bad guy list to 3rd this year.

For the second year in a row, the Board of Trade was chosen as the organization that had done the least for the city or worked hardest against positive change. But the votes were very scattered with more than seventy organizations listed as having done the least.

Returns in the neighborhood category were so scant that we won't list them. In the media category, Bill Rasberry won as the individual who has done the most for the District. The Washington Post swept this category with Rasberry followed by Bernstein & Woodward, Jack Anderson and Kirk Scharfenberg.

The new popularity of the Post was also reflected in the media organization category with the Post moving up to 1st from last year's 4th place position. But the Star-News is also more popular. Last year it failed to make the list; this year it's third. And Howard's radio station, WHUR, sandwiched itself between the two local media giants, copping second place.

In the arts Robert Hooks was an easy winner in the individual category, while the Circle Theatres once again took first place in the institutional category. "Sounder" was chosen as the outstanding movie of the year, but there weren't enough returns in the local play category to list a winner.

The eclectic gastronomic tastes of DC Gazette readers was illustrated by the returns in the restaurant section. Respondents clearly favor Chinese food, French restaurants, health foods and Big Mac's. Which reminds us of Dick Cavett's typical American menu: bean sprouts, wheat germ, French fries and a Coke.

We asked our readers to rate 27 local institutions on the job they were doing. The consensus of returns indicated that most thought local institutions were doing only a fair job. No institution earned an excellent rating, but the Smithsonian Institution and four others were rated good. The worst rated institution was the DC school administration.

Gazette readers favor three radio stations: WMAL, WTOP and WGMS. While 62% of the respondents said they read the Post regularly, only a quarter are regular readers of the Star-News. Further reflecting the Post's dominance in the city, only 15% of the respondents said they read the New York Times regularly.

About 20% read the Washingtonian, the most frequently listed magazine. Newsweek has a slight edge over Time as the most read newsweekly. The extent of our readers' interest is broad: they read everything from Chemical Engineering News to the Daily World.

We found out some other things about our readers. They are young; 64% are under 35 and slightly over a third are between the ages of 30 and 34. 59% are married with an average of 1.7 children apiece. Seventy-three per cent

live in a house (whereas about 70% of Washington as a whole lives in apartments) and 48% have a family income over \$20,000. Thirty-one percent of our DC readers live West of the Park, 21% on Capital Hill and 10% in Adams-Morgan and Mt. Pleasant.

The computing of the poll results took more time than we thought so we let several categories go by the boards. We did, however, want to find out who our readers wanted for president in 1976. The answer: they don't know.

(Please turn to page 4)

### 1973 DC GAZETTE POLL WINNERS

THE INDIVIDUAL WHO HAS DONE THE MOST FOR THE CITY  
Julius Hobson

THE ORGANIZATION THAT HAS DONE THE MOST FOR THE CITY  
DC Statehood Party

THE INDIVIDUAL WHO HAS DONE THE LEAST FOR THE CITY  
President Richard Nixon

THE ORGANIZATION THAT HAS DONE THE LEAST FOR THE CITY  
Metropolitan Washington Board of Trade

INDIVIDUAL IN THE MEDIA WHO HAS DONE THE MOST FOR THE CITY  
Bill Rasberry

MEDIUM THAT HAS DONE THE MOST FOR THE CITY  
Washington Post

OUTSTANDING INDIVIDUAL IN THE ARTS  
Robert Hooks

OUTSTANDING INSTITUTION IN THE ARTS  
Circle Theatres

OUTSTANDING MOVIE OF THE YEAR  
Sounder

OUTSTANDING LOCAL RESTAURANT  
Peking

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THE US Interior Department's National Register of Historic Places has two new listings — the Old Post Office and the 104-year-old Franklin School Buildings. In addition to providing a certain amount of protection against demolition of the two buildings, inclusion in the Register makes the Franklin School building eligible for a National Park Service restoration grant. The Old Post Office does not qualify for restoration funds, but private donations are being sought to save the building and restore it for office and retail shop space.

PRELIMINARY work on the National Visitors Center at Union Station has begun. When Congress first authorized construction of the center in 1968, the railroads which own Union Station planned to pay the entire cost of the center and lease the facility to the government for a 25-year period. The bankruptcy of Penn Central Railroad halted the plans until this past April when the Baltimore and Ohio Railroad obtained a \$16 million bank loan for construction of the center. Since the project was first approved, inflation has increased the estimated cost of the visitors center by 50 per cent. Federal help is now needed to construct the facility, according to Rep. Kenneth J. Gray, D-III. The House Public Works Committee has appropriated \$8.6 million in federal funds to help finance the project. The center is scheduled to be finished by September 1975. The Public Works Committee has also authorized \$2.2 million for site improvement at the old Bureau of Standards tract in Northwest Washington.

THE Howard Concrete Co. has bought property at 1817 Half Street SW from Edward Merone for \$425,000.

## ON THE AIR

WGMS 570 AM 103.5 FM

GUEST ARTIST: Tu 805 pm  
FIRST HEARING: Sa 7 pm. Critics review new recordings without knowing name of work or performers until after presentation.

YOUNG TRADITION: Th 805 pm. Younger artists.  
METROPOLITAN OPERA: Su 2 pm.

WMAL-AM 630 AM

HARDIN & WEAVER: 7 am weekdays  
PAUL HARVEY: 9 am & 1230 pm. The right wing's first defection on Vietnam alternately amuses and enrages.

FELIX GRANT: Weekdays 730 pm. Jazz mixed with middle-of-road sounds.  
EVENING REPORT: 6 pm weekdays. Good news round-up including in depth reports

WOL 1450 AM

MARTIN LUTHER KING SPEAKS: Su 1130 am  
RAP WITH PETEY GREEN: Su 6 pm.  
BLACK MONTAGE: Su 7 pm  
WOL NEWS PRESENTS: Su 8 pm  
BLACK AND BLUES: Su 830 pm  
SOUND OF YOUTH: Su 9 pm  
SPEAK-UP: Su 11 pm.  
GRASS ROOTS APPROACH TO DRUG ADDICTION: Second Su 7 pm.

WAMU-FM 88.5 FM

JAZZ ANTHOLOGY: Daily 6 am.  
ECOLOG & THE HUMAN ENVIRONMENT: 8 am Su.

WHO WERE THE ONES: Stories of the American and Canadian Indians. 9 am Su.

THE ADVENTURES OF OOKPIK — ARCTIC OWL. Su 915 am.

ASPECTS OF THE NORTH: Su 930 am.  
GOT THE BLUES: Su 130 pm.  
NEW THING ROOT MUSIC SHOW: Su 230 pm.

THE GALLERY: Su 430 pm. Local artists, musicians and writers.

CONVERSATIONS AT CHICAGO: Su 6 pm.  
BLUE GRASS: 630 pm Su.  
GUNSMOKE: 7 pm Su.

1973 A.D.: John Merli talks to people in local and national affairs. Su 730 pm.

DIAL-LOG: Su 11 pm. Two hour interview/call-in show.

NIGHTWATCH: Classical music thru the night with Ed Merritt. 1 am daily.  
EBONY HARVEST: 1030 am M

NEWS ACROSS FRONTIERS: M 1115 am. A look at the history of radio.

GERMAN PRESS REVIEW: 1130 am M  
LERNT DEUTSCH: M 1145 am  
SEARCH FOR MENTAL HEALTH: M 130 pm.

BBC SCIENCE MAGAZINE: M 2 pm  
BOOKMARK: Weekdays 430 pm  
JAZZ ANTHOLOGY: Weekdays 5 pm.

TIMEPIECE: Weekdays 7 pm. John Merli looks at news and arts in Washington area.

ALL THINGS CONSIDERED: Weekdays 8 pm. 90-minute news round-up from National Public Radio.

ECOLOG & HUMAN ENVIRONMENT: 930 pm M.

GROWTHMANIA: 10 pm M. Development issues discussed on new program produced by the Coalition on Optimum Growth.

THE LIGHTER SIDE: M 1030 pm. A look at comedy.

RECOLLECTIONS: Old-time radio with John Hickman. Tu 1030 am and F 930 pm.

JAZZ REVISITED: Tu 6 pm.

JAPANESE PRESS REVIEW: Tu 1130 am

LET'S LEARN JAPANESE: Tu 1145 am.

VIVRE A PARIS: W 1130 am. Arts and culture in France. In French.

HUMAN SEXUALITY: W 130 pm

FRENCH IN THE AIR: W 1145 am

MARRIAGE IN AN AGE OF SOCIAL CHANGE W 130 pm.

ECOLOG & THE HUMAN ENVIRONMENT: 930 pm W.

THE SEALED BEAM: W 1030 pm.

ONLY ONE EARTH: 1030 am Th

FROM THE LAND OF WINDMILLS: 1130 am Th

DUTCH BY RADIO: Th 1145 am

FROM THE MIDWAY: Th 130 pm

TIME MACHINE: Th 6 pm. Bill Barber plays oldies.

BLUEGRASS: Th 630 pm

LEFT BANK JAZZ SOCIETY: Th 930 pm

SOVIET PRESS REVIEW: F 1115 am

RADIO RUSSIAN: F 1130 am

JOHN DILDINE & FOLK MUSIC: Sa 7 am

COUNTDOWN ROAD: Sa 8 am

MBARI-MBAYO: Sa 2 pm. African news & music.

FOLK MUSIC & BERNSTEIN: Sa 3 pm

THE SCOPE OF JAZZ: Sa 7 pm

JAZZ NOW: Sa 8 pm

EXPERIENCE: Sa 930 pm. Rock music from the past and present.

JERRY GRAY SHOW: 11 pm Sa. Country music.

WGTB-FM 90.1 FM

I THOUGHT I HEARD BUDDY BOLDEN SAY: Classic jazz. M 4 pm.  
ALTERNATIVE NEWS: 9 am & 6 pm M-Sa  
INNERFACE: W 230 p, M 630 pm. DC organizations.

PEOPLE: Th 230 pm & W 630 pm. John Wilson interviews.

OPEN FACE: F 230 pm. Public affairs programming from various sources including the Institute for Policy Studies.

RADIO FREE WOMEN: M 230 pm & Tu 630 pm.

HOOTENANY: Su pm. Live from the Celtic Door.

SPIRITUS CHEESE: Weekdays 3 pm. Rock and other things.

OUTERFACE: Tu 230 pm & Th 630 pm.

Occult

DISC MEMORY SHOW: Su 9 am. Old rock & roll.

WHUR-FM 96.3 FM

VOZ DEL BARRIO: Th 7 pm WHUR-FM

DAILY DRUM: Weekdays 530 pm.

## FLOTSAM & JETSAM

for what RLA has already done to downtown — Who killed Downtown? I did with my little first year action plan. Still it leaves me uneasy. I attended a puff session for the downtown proposal the other night and the memory that clung was of two slides shown side by side. One was of an American downtown project; the other of a European market street. The former was beautiful, sterile and empty; the latter was without esthetic interest, crowded and exciting. Even allowing for inflation, the DC plan will cost five or six times what any other downtown mall area has cost in this country. And what will we have? The image of what Ashley/Meyer/Smith and RLA think downtown ought to look like. The problem is that a downtown that works can not be planned; it must be permitted — just as Georgetown has been permitted to happen. If \$30 million of public funds had been available for Georgetown it would never have happened. In the effort to make it work, it would have failed.

But downtown isn't Georgetown, the planners say. True enough. Downtown is better off than Georgetown. I have that on the word of the president of the DC bankers association, who claims that the area between the Capitol and the

White House is the most valuable land in the United States. Meanwhile H Street and Upper 14th Street starve.

Back in April, Friendship House got two blocks of Seventh Street next to the Eastern Market closed off to traffic for its annual Market Day. For an afternoon, 7th Street was wrested from its normal function as a vehicular Esalen and turned over to people, arts, politics and making a buck. The two blocks were jammed all afternoon. There were candied apples, ceramics, rock groups and guerilla theatre. The public library signed up voters and the organic food shop sold Formula 95. And there were few, I suspect, who wouldn't have been glad to come back the following Sunday. Not only did the project not cost a pro-rata share of \$30 million, Friendship House made money.

Ashley/Meyer/Smith would like to reproduce Market Day downtown every day. Their report is called "Streets for People." But they don't understand streets and they don't understand people. The report suggests that the management of the streets and the people be placed in a body they call "Entity X." They don't realize that the problem with downtowns is that they are increasingly controlled, managed and designed by Entity X and the streets and the people don't like it.

### G.E. and RCA Report Sales and Profits Up

First Quarter's Climbs of 10% to 15% Is Posted

By CLARE H. RECKERT  
The G.E. and RCA companies reported a 10 per cent increase in sales and a 15 per cent increase in profits for the first quarter of 1973.

### Woolworth Posts 39% Increase in Earnings

By CLARE H. RECKERT  
The F. W. Woolworth Company reported a 39 per cent increase in earnings for the first quarter of 1973.

### G.M. Sales and Earnings For Quarter Set Records

By CLARE H. RECKERT  
General Motors reported a record sales and earnings for the first quarter of 1973.

### Corporate Profits

billions of dollars

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PHASE I  
PHASE II  
PHASE III

1970 1971 1972 1973

### Profits Increase 17% for Philip Morris

By CLARE H. RECKERT  
Philip Morris reported a 17 per cent increase in profits for the first quarter of 1973.

### Burlington Industries Net Up 67%

By CLARE H. RECKERT  
Burlington Industries reported a 67 per cent increase in net income for the first quarter of 1973.

### A.T. & T. Profits Climb 22%

By CLARE H. RECKERT  
American Telephone and Telegraph reported a 22 per cent increase in profits for the first quarter of 1973.

### UE NEWS/LNS

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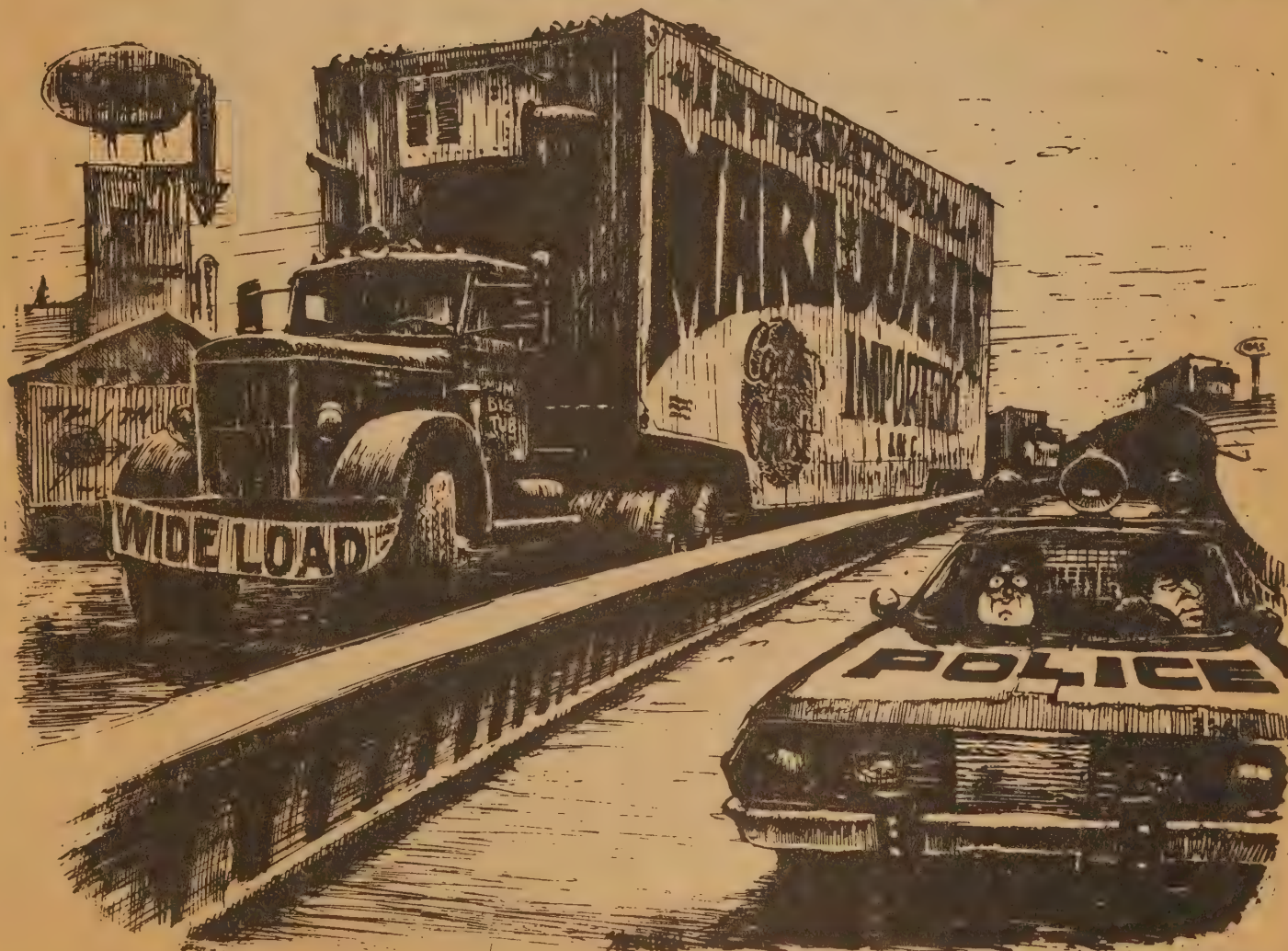
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# d.c. gazette

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Wright decision to the  
Supreme Court if necessary.  
— at least I want to  
try. Please put all the  
material together.





# The Federal Government and School Desegregation

by Stephen Joel Trachtenberg

*Will redrawing school district boundary lines, putting urban and suburban areas into a common district, help to end de facto segregation? At least two influential members of Congress think so; their new bills call for voluntary efforts to this end. Traditional American deification of "local control," however, and a corresponding fear of a federal bogeyman make voluntary acceptance of this idea perhaps impossible. What should be the federal government's role in encouraging such changes?*

The federal attempt to remove the barrier of prejudice which has long stood between the American Negro student and equal educational opportunity has precipitated a vocal public concern about federal education activities. In its effort to desegregate dual Southern schools (in accordance with its mandate under the Civil Rights Act of 1964) the U.S. Office of Education has issued firm guidelines to school officials. Federal agencies have examined school systems in Chicago, San Francisco, and Chester, Pa., to determine if racial discrimination was present. The Office of Education has distributed questionnaires designed to sample pupils' attitudes toward desegregation.

It is easy to understand why many school officials are worried that the federal presence in education may be growing as rapidly as the federal aid. Most school administrators are happy to see federal spending on elementary and secondary schools jumping from approximately \$48 million in 1945 to an estimated \$1.5 billion by 1966. But in the words of New York City Superintendent of Schools Bernard E. Donovan: "We want federal money, but we don't want federal control."<sup>1</sup>

Another superintendent, Dr. Carl Hansen, of Washington, D.C., complained that, "Despite soothing assurances that local schools are to remain fully independent in their management of federal money, the evidence is that controls are being imposed even at the early stages of the new program." He has commented that the problem now is whether

local school officials will be able to develop a partnership with the federal government or whether they will become subjects of "a benevolent dictatorship and possibly later a malevolent despotism."<sup>2</sup>

Rep. John Brademas (D-Ind.), a member of the House Education and Labor Committee, commented at the 1965 Round Table of National Organizations for Better Schools, "I am aware of reports that some educators have anxieties over the possibility that federal attention may extend to school buildings, buses, books, personnel, teacher accreditation, and curriculum standards."<sup>3</sup> He saw a need for the federal government to continue its efforts designed to clarify its intentions and alleviate the anxieties of these educators whenever possible so that all groups might work together for "educational excellence."

The overwhelming demand for federal aid in the nation's schools has muted opposition to any cooperation with the federal government. It was stated in the President's message on education for 1965: "Attendance in elementary and secondary schools will increase by 4 million in the next five years; 400,000 new classrooms will be needed to meet this growth. But over 1½ million of the nation's existing classrooms are already more than 30 years old."<sup>4</sup>

Local and state educators grumble about excessive red tape and work required to administer federal education programs. And though they also exhibit fear of Washington's

1. U.S. News and World Report, Nov. 8, 1965, pp. 54-59.

2. Ibid.

3. John Brademas, *The Federal Government and the Development of Public Policy in Education*, an address to the Round Table of National Or-

ganizations for Better Schools, Arden House, Harriman, N.Y., Nov. 16, 1965.

4. President's Message on Education for 1965, H.R. Document No. 45, 89th Congress, first session, pp. 1-2.





authority, their leading spokesmen express confidence that "federal domination" is based more on fantasy than fact. As Dr. Willard B. Spaulding, director of the California Coordinating Council for Higher Education, said during a conference on federal programs last spring: "I think we have come to the realization in the past year that federal leadership in the funding of, and even in some of the directions of, education is not necessarily equated with conscious federal control of education."<sup>5</sup>

Federal aid has become more palatable to recalcitrant school officials partly because it encourages purely voluntary programs. Refusing federal aid is thus politically difficult. However, it is still within the province of local school administrators to do so and some have.

### To 'Influence' or to 'Control'.

The federal government has done much to convince educators that it seeks to persuade and not to control. Both Francis Keppel, commissioner of education from 1962 to 1965, and his successor, Harold Howe II, have stressed the federal government's desire to be a "junior partner" in education.<sup>6</sup> Legislators and federal officials have emphasized that the intent of the 1964 Economic Opportunity Act and the 1965 Elementary and Secondary Education Act has been to stimulate creative planning and imaginative programs on local and state levels. Virtually every bill dealing with education contains a section specifically prohibiting any department, agency, officer, or employee of the United States from exercising any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of local educational institutions."<sup>7</sup>

However, assistance provided by the federal government to localities may be read as a subtle form of influence. "When the federal government, either through Congress or the executive branch, decides what aspects of education deserve support, it does in fact exercise control,"<sup>8</sup> wrote Fred M. Hechinger, education editor of the *New York Times*. Since federal programs specify which segments of the school population, curriculum, or levels of education are to receive the aid, local schools can be induced to steer their programs in the federal direction. Moreover, categorical grants may cause states and local school districts to emphasize some areas of education for which federal support is available and to pay less attention to others.

Influencing educational direction is to be distinguished from "control of education." Areas of federal concern are developed from the viewpoint of national priority. "First things first," summarizes the primary philosophy of federal aid.

5. Willard B. Spaulding, *Local and State Responsibilities in the Federal Programs*, an address to Portland State College Conference on Federal Programs in Health, Education, and Welfare, Portland, Ore., Mar. 22, 1966.

6. Francis Keppel, *The New Partnership in Education*, an address to the annual convention of the American Assn. of School Administrators, Atlantic City, N.J., Feb. 14, 1966.

Federal officials and Congress have been required to counter the charge that singling out levels of students and curriculum areas for aid is "discriminatory." They assert that federal interest in education is concentrated mainly in fields where state and local educators have been unable or unwilling to overcome educational inequities and where there has been a widespread recognition of need. Moreover, they contend that legislation passed by the 88th and 89th Congresses goes a long way toward rationalizing support of higher education with support of elementary and secondary education, of technology with the arts and humanities. The real question here is not one of balance. There is a clear and present necessity for continuing significant aid to both elementary and secondary education and higher education.

The need for federal aid indicates the failure or inability of states and individual communities to provide quality education. As Hechinger has noted, "Drifting and inept educational leadership on state and local levels has in the past permitted vital areas of education to go into decline. The lack of stress on foreign languages, science, and mathematics for several decades made it easy (with some aid by the Soviets' Sputnik), highly popular, and probably necessary for the federal government to rush to the rescue."<sup>9</sup>

Lack of educational leadership alone is not to blame. Many states and localities have taxed to capacity and are still unable to provide the necessary resources. Federal aid programs are intended in part to compensate for the inadequacy of local means.

The federal rescue operation has continued at an accelerated pace since Sputnik took to the skies in 1957 and attracted the attention of America's parents, lawmakers, and educators. In the last three years alone, Congress has passed more than 25 pieces of legislation affecting education from prekindergarten to postgraduate study, as well as instruction for school dropouts and illiterate adults. These bills generally have sought to generate new approaches to educational problems. At the same time, they have recognized the orthodox tradition of local control of education. Until recently, Congress has shown little interest in producing greater interdistrict cooperation or a concern with ending educational disparities among school systems.

### School District Boundaries

Within the local control tradition there has been some limited cooperation among school districts through such recent specific programs as the creation of supplementary education centers and educational research laboratories. Each local district is free to determine under what circumstances,

7. *Is Education the Business of the Federal Government?* Preliminary study for the Governors' Conference, prepared in the office of Terry Sanford, governor of North Carolina, 1964, pp. 89-90.

8. Fred Hechinger, "Federal Strings?", *New York Times*, June 21, 1965.

9. *Ibid.*





if any, joint activities will take place. As a result, there is no guarantee that cooperation will develop between upper-middle class suburban schools and lower-income center city schools, or even that dissimilar suburban school districts will pose to work together. Yet, the commissioner, by awarding and under various programs, can influence the situation.

A novel Congressional approach on the horizon is proposed legislation which could challenge the traditional school district boundary lines and stimulate local interest in providing comprehensive, desegregated education for America's increasingly diversified population. The nation has grown genuinely concerned with the obvious incapacity or unwillingness of some local schools to provide quality education for all students. "Localism in education gives communities the right to have both good and bad schools,"<sup>10</sup> Harold Howe II said in the spring of 1965.

The first Congressional attempts to encourage the amendment of boundaries are found in two separate but somewhat similar bills introduced in the last Congress. Legislation proposed by Rep. Adam Clayton Powell (D-N.Y.) and Sen. Edward Kennedy (D-Mass.) has implications for staunch advocates of local determinism in the schools.<sup>11</sup> The legislative measures are interpreted by some commentators as attempts to induce local school systems to give up a small portion of their autonomy and to adjust their district lines to resolve racial isolation problems created by the artificial gerrymandering of past generations and by the housing re-

actions of the present one.

Both measures would expand the Civil Rights Act of 1964. This act stipulates that no federal aid can be given to a school district which practices racial discrimination. It is aimed most directly at de jure segregation in the South rather than at de facto segregation in the North. It provides that desegregation "shall not mean the assignment of students to public schools in order to combat racial imbalance." The act also states that it does not "empower any official or court of the United States to issue any order seeking to achieve balance in any school by requiring the transportation of pupils from one school to another." This language troubles those who would like to see Title VI of the Civil Rights Act carried to its affirmative extension. This Title states: "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance."

The two proposed laws would provide federal support for lessening de facto segregation. The bill introduced by Rep. Powell, chairman of the House Education and Labor Committee, strikes at the restrictions of the present Civil Rights

Act. It would authorize the Office of Education to make grants to local education agencies, either individually or jointly, to pay the cost of planning, developing, and implementing programs to eliminate racial isolation as rapidly as possible.

Powell's measure also would permit the creation of new metropolitan school districts serving both urban and suburban areas; the construction of educational complexes for large groups of elementary and secondary school students; the drawing of new school attendance zones to achieve racial balance, and the development of instructional methods that would promote classroom integration. Powell sees a need for \$600 million to finance grants under the legislation from 1968 through 1970.

The other bill, proposed by Edward Kennedy, would give the commissioner of education the authority to provide technical assistance and grants to school boards which have voluntarily started local programs to overcome racial imbalance as well as de facto segregation. It would fund the development of new curriculum materials; provide for zoning surveys leading to the redistricting of schools; and establish teacher exchanges, transportation projects, and some supplemental school construction. Sen. Kennedy proposes an authorization of \$50 million to fund these projects for three years.

As of late November, 1966, no Congressional action has taken place on either measure which would suggest their passage in the near future. Hearings on the Kennedy proposal were conducted in late April, 1966, in the education subcommittee of the Senate Labor and Public Welfare Committee but, although passed by the committee, the bill died in the pre-election rush of the second session of the 89th Congress. Depending on the national political climate, the administration might well consider encouraging the addition of some of the provisions of the Kennedy bill to the ESEA in the 90th Congress. It is likely, however, that when and if it is reintroduced, the bill will be somewhat different in text.

U. S. Commissioner of Education Harold Howe II indicated an awareness of the Kennedy-Powell bills last May when he told a Chicago audience: "Traditional school district boundaries often serve education badly and may have to be changed. New York and New Jersey surrendered state prerogatives to form the Port of New York Authority in the interest of improved transportation. If we can make such concessions for transportation, I suggest that we can make them for education. We could, for example, alter political boundaries to bring the social, economic, and intellectual strengths of the suburbs to bear on the problems of the city school . . . Altering political boundaries or consolidating the educational facilities of a large city would involve major reorganizational changes . . . major education surgery. But I believe that

10. Harold Howe II, *Journal of the Association of College Admissions Counselors*, Spring, 1965.

11. H. R. 13079, introduced Feb. 24, 1966, 89th Congress, second session; S. 2829, introduced Feb. 16, 1966, 89th Congress, second session.





major surgery is required if we are to liberate the children of the slums."<sup>12</sup>

In a June 15, 1966, letter to Lister Hill, chairman of the Senate Committee on Labor and Public Welfare, Secretary John Gardner addressed himself to Sen. Kennedy's proposal. He wrote, *inter alia*, "S. 2928, with certain improvements, would significantly aid local and state school authorities in their efforts to reduce racial isolation in our public schools, and it would provide some of the tools needed to carry us closer to the goal of reducing as much as possible the separation of students on the basis of race which now constitutes such a blight in our nation." He continued, "Most school districts which desire to eliminate or reduce racial imbalance need federal financial assistance in order to undertake this task. This is so because the task usually entails the changing of old patterns and attitudes and often requires extra expense for staff training, curriculum, transportation, and planning." The secretary said, "We therefore favor the objectives of the bill."

Kennedy's bill has no coercive features. But some aspects of the Powell proposal have a basically punitive character. It calls for a listing of local educational agencies administering racially imbalanced schools and establishes machinery for denying such schools access to federal financial assistance. Neither law, however, requires school boards to ease racial isolation. They are designed to help school systems that want to help themselves and suburban districts which feel a moral responsibility to the embattled center city schools. Both bills would encourage school districts to voluntarily reorganize in the interest of better education.

There are three main barriers to widespread voluntary reorganization and cooperation among school districts: concern by school officials that larger school districts are harder to administer; antipathy between urban and suburban school systems, and the historical tradition of local control.

It should be noted that the first may be overcome by increased professional competence and innovative administration; the second should be amenable to an educational process designed to effect understanding of mutual problems of both systems (by seminars, visits, interchanges). The third will and should endure—but within a contemporary frame of reference which makes cooperation viable.

Support for the legislation can be expected from enlightened city educational administrators who recognize that firm ties between urban and suburban schools should be established to head off a confrontation over Negro pressures for comprehensively equal education. "Fragmentation of educational effort is a luxury we can no longer afford," said Paul

Briggs, superintendent of schools in Cleveland. "It is short-sighted and self-defeating."<sup>13</sup> John Letson, Atlanta's school superintendent, commented that "Local control is hard to overcome . . . One of these days the white suburbs will wake up to the fact that it is not to their advantage to let themselves become islands of cultural isolation."<sup>14</sup>

Joe Hall, superintendent of Dade County, Fla., public schools, has said he would welcome federal aid for school construction. Both the Kennedy and Powell bills call for some construction money.<sup>15</sup> However, their funds are intended only for experimental and demonstration projects.

### Maintaining Local Control

Despite evidence of support for reorganization, the Committee for Economic Development's research and policy committee has reported that: "People regard school districts as something more than units of state governments for school purposes. To many people 'our school district' connotes even more than an institution for local control and operation of their schools; commonly associated with accustomed patterns of group action, with remembrances of bygone years, it evokes feelings of loyalty, of neighborliness, of independence. It is their school district, even though it is a creature of state law. Often their pride of 'ownership' has no relationship to its effectiveness in providing a modern school program. Some find the status quo comfortable, even though they desire better schools for their children. Others may prefer the status quo because of the tax advantage it assures."<sup>16</sup>

The principle of complete local control of education reflects the nation's past. It does not sufficiently illuminate its future. As late as 1932 there were approximately 127,000 school districts in the United States compared with about 24,000 operating districts which now exist. Many of those 127,000 districts consisted of a one-room schoolhouse staffed by a teacher who was responsible for the entire curriculum.

Local control as a guiding philosophy of educational administration began in America when the population was rural and civic issues were resolved by a closely-knit group of neighbors at the town meeting. Because of rising enrollment and legislative incentives provided by the state and federal governments, consolidation of the scattered educational units slowly began to take place. In time, school boards began to realize that centralization meant a minor loss of power, but that at the same time it afforded greater resources for better instructional materials and methods, and more books and supplies for students. The elimination of wasteful duplication also permitted the continuing education of teachers, recreational opportunities for pupils, and improved school buildings.

12. Harold Howe, II, *The City Is a Teacher*, an address to City Club of Chicago's annual civic assembly, Chicago Bar Assn., Chicago, Ill., May 13, 1966.

13. Interview, May 24, 1966.

14. Interview, May 23, 1966.

15. Interview, May 26, 1966.

16. Committee for Economic Development, *Paying for Better Public Schools* (New York, 1964), pp. 77-79.





As consolidation progressed, some of the most conservative school board members learned to live with a limited degree of social and educational reconstruction. But, in defense of local heritage and political traditions, school board members began to urge that self-governing school districts protect America's freedom by promoting variety in educational techniques, methods, and curricula. To its credit, local control has kept regional mistakes from becoming national errors. However, variety has too often become synonymous with educational inequity among communities, some more willing than others to pay for quality schools. Many school administrators also appear to forget that school boards and school districts legally are agents of the state. They seem unaware that national textbook publishers, professional education organizations, education journals, and teacher training institutions have contributed to an increasing conformity in the nation's schools.

Local control, its adherents argue, reflects community needs. It is seen as a means of maintaining the democratic process and encouraging independent educational innovation. To them, it is a bulwark against totalitarianism and bureaucratic entanglement. Despite current educational, economic, and demographic influences on the schools, numerous federal, state, and local officials, in addition to school teachers, administrators, and laymen, publicly and reasonably advocate local pre-eminence in the educational system.

Attitudes which probably will militate against nationwide acceptance of school district reorganization as a means of easing racial imbalance and de facto segregation have been expressed by educators and school officials in the Boston metropolitan area. Harold Berman, a Harvard Law School professor who is chairman of the Newton School Committee in suburban Boston, said, "I cannot conceive of what would lead to a merger of Boston and suburban school systems. The problem here is that we have some very good school districts and some very poor ones, and it would be misleading to lower the quality of education in Newton by merging with other districts. Besides, I don't think I was elected chairman to preside over the liquidation of the Newton School Committee." <sup>17</sup>

Dr. Bert Roens, superintendent of schools in Arlington, another Boston suburb, said he believes the advantages of reorganization outweigh the disadvantages of political domination by the larger Boston school system that might occur in any cooperative structure. <sup>18</sup> Dr. William Cunningham, associate superintendent of Boston's school system, concedes that any system involving urban and suburban schools would most likely be dominated by the city because of its size. He also said, "I don't think the suburban school systems are really anxious to assimilate large numbers of our Negro population." <sup>19</sup>

"The suburbs tend to be the most selfish of all," said Terry Sanford, former governor of North Carolina who is a strong supporter of educational cooperation. "You generally don't find those people anxious to look out for the city." <sup>20</sup>

Reaction to the proposals in the Kennedy and Powell bills for voluntary reorganization may also face strong opposition from some city school board members. Thomas Eisenstadt, chairman of the Boston School Committee, reflected this attitude toward reorganization in a statement following the Boston Finance Commission's resolution to consider the creation of a metropolitan school district for Greater Boston. "Administering the public schools should be as localized as possible so as to keep the vital enterprise of education close to the needs and the will and control of the people." Eisenstadt continued: "The actual supervision of the schools should be conducted by a political entity whose area of jurisdiction is as limited as possible, for as a school committee's jurisdictional area increases, its effectiveness decreases. Big government is unwieldy government." <sup>21</sup>

These statements reveal that the potential for federal legislation in the nature of the Kennedy and Powell bills is certain to reopen the debate over local control with renewed energy. If either the Powell or Kennedy or other improved or related measures are ever to become law, the public must be convinced of the fact that rigid organization of local education systems is no longer in the best interests of children. School district lines, which were generally drawn as a matter of convenience, should be realigned according to the educational exigencies created by today's expanding urban school-age population. John L. Miller, superintendent of schools in Great Neck, N. Y., has attempted to show that school district lines "could be juggled to include Negroes as well as to segregate them." Lincoln Lynch, a CORE leader, reacted to Dr. Miller's efforts with the question: "Why not merge Great Neck, which is 75 percent Jewish, Manhasset, which is nearly all Protestant, and the Negroes into one big district? That would be real integration," he said. <sup>22</sup>

The goals of education increasingly transcend the established boundaries of school districts. School systems which do not acknowledge this cannot reasonably expect to provide the quality comprehensive education required for contemporary life. Delivering this vital message to parents and others interested in education will be difficult, but it could be accomplished by united effort among local and state political and educational opinion-leaders.

If the local and state efforts do not succeed; if local officials do not assume the role they assert they want, the federal government may be forced, against its will, to seek some other means to promote the national goal of providing a truly first-rate education to all American children.

17. Interview, May 27, 1966.

18. Interview, May 27, 1966.

19. Interview, May 24, 1966.

20. Interview, May 26, 1966.

21. *Boston Globe*, Oct. 12, 1966, p. 6.

22. *Newsweek*, Feb. 28, 1966, p. 82.



tious circumstances" that are outside the range of individual human choice or control: the social, cultural, and economic forces, the accidents of the environment, that help along the educational careers of some youngsters and cut short the careers of others. The purpose of student recruitment in its best sense is to minimize this second kind of selection so as to close the educational gap between the have's and the have-not's.

That a serious educational gap between whites and Negroes still exists is hardly a matter that needs rehearsing. If you are between the ages of 18 and 24, for instance, your chances of being in college or a professional school are twice as great if you are a white than if you are a Negro.<sup>11</sup> If you are a white adult, the chances are 50-50 that you have finished high school; if you are a Negro adult the chances are three-to-one that you have *not* finished high school.<sup>12</sup> If you are a young man coming up against the Armed Forces Qualification Test — a test that measures the basic skills you were supposed to have been taught in school — your chances of passing are 85 per cent if you are white, only 36 per cent if you are black.<sup>13</sup>

There is pretty general agreement that disparities like these are the result of remediable flaws in our educational and social processes, and of course it is at

just these flaws that the recent education acts and the poverty programs have been aimed. But with all the money and the best will in the world the task of closing the gaps is not going to be easy. A very considerable part of the difficulty of effecting change rests in the deeply ingrained beliefs many people still have about the mental development of children. The myth of the IQ and the immutability of human intelligence is still a powerful determinant in the ways children are taught, counseled, and classified.<sup>14</sup> Those who have abandoned this myth tend to come under the spell of another, namely, that the learning experiences a child has before the age of eight are so profound in their effect that his mental growth pattern from then on is essentially unchangeable. There is good reason to think that a child's early learning experiences *do* have a strong influence on his later development,<sup>15</sup> but there is no real evidence that under appropriate instruction at least a good part of the early deficits cannot be made up. Project Head Start is all to the good for preschool children, but we cannot afford to wait ten years for the graduates of Head Start to become candidates for college, for to do so would be to neglect some eight million disadvantaged children who were born too soon to get the benefit of the program. These are the six million white children and two million nonwhite children between grades two and twelve who come from urban and rural homes

<sup>11</sup> Edwin D. Goldfield, *Statistical Abstract of the United States*, 1966 (Washington, D. C.: Bureau of the Census, U.S. Government Printing Office, 1966), Tables 5 and 149.

<sup>12</sup> *Ibid.*, Table 155.

<sup>13</sup> Bernard D. Karpinos, *The Mental Qualifications of American Youths for Military Service and Its Relationship to Educational Attainment*. Proceedings of the Social Statistics Section of the American Statistical Association, 1966.

<sup>14</sup> For example, see: Orville G. Brim, Jr., et al., *The Use of Standardized Ability Tests in American Secondary Schools and Their Impact on Students, Teachers, and Administrators* (New York: Russell Sage Foundation, 1965), pp. 134 and 192-194.

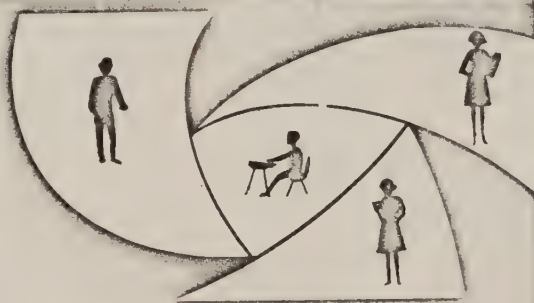
<sup>15</sup> For example, Benjamin S. Bloom, *Stability and Change in Human Characteristics* (New York: John Wiley & Sons, 1964).





# NEW PARTNERS IN THE AMERICAN SCHOOL

A Study of  
Auxiliary Personnel  
in Education



BANK STREET COLLEGE  
OF EDUCATION  
FOR THE  
OFFICE OF  
ECONOMIC OPPORTUNITY  
November 1967





# the need...

Have you ever heard  
pupils say:

I don't dig school.  
Man, they tell you how  
to talk, how to act, how to  
eat even. Then at home, they  
tell you just the opposite. Why  
don't they either get together  
on all that stuff or leave me  
alone. I want out.

Have you ever heard  
parents say:

School?  
Well, I don't know  
what goes on there but  
I do know that my children can't  
read. I can't get them to  
feel school is important  
the way they  
should.

Have you ever heard  
teachers ask:

How can I teach  
when I have to collect  
money, prepare bulletin  
board displays, check supplies,  
find missing books, prepare flash  
cards, supervise lunch hours,  
check attendance, and do  
all the other little  
things that eat  
up my time?

What can I do  
for a child who needs  
a little extra help at  
a crucial time for him, when  
all the other children  
need me at the  
same time?

Have you ever heard school  
administrators ask:

How can I meet  
the increasing demands  
— and the very real need —  
for additional services, when I  
can't even find enough teachers  
and other professionals  
to do the job?



# an answer — not the only answer

The rapidly changing social scene raises many complex and urgent questions, and demands many answers from the school.

One answer, and a good one, is the use of auxiliary personnel, such as teacher-aides, teacher-assistants, family workers, counselor-aides. These school employees have had little prior academic training when they start work. They learn from experience. They may study and grow on the job. Many have incomes at or below the poverty level. Often they are parents of children in the school they serve, but they do not work with their own children. They vary in age,

racial and nationality background, and in the degree of skill, but they have one trait in common: the ability to work well with children and youth.

Auxiliaries who have had training help the learning-teaching process in two ways: first by relieving the teacher of many time-consuming duties and thus freeing him to teach; and second, by working directly with the children under the teacher's supervision, helping them to study, to play, to inquire, to think, to talk, in short — to learn.

## results of a nationwide study

Fifteen demonstration training programs for auxiliary school personnel were studied by Bank Street College of Education for the Office of Economic Opportunity in 1966-67.

Trainees included: residents in target areas (predominantly Negro) of the cities of Berkeley, Detroit, Gary (Indiana), East St. Louis (Illinois), New York City, and Washington, D.C.; Navaho Indians in Arizona; rural poor in Appalachia, Maine, Mississippi; migrant workers in Florida; Puerto Ricans in San Juan and New York City; Mexican-Americans and others in Southern California; and a cross-class, cross-cultural group in Boston.

### Some major findings are:

1) When carefully selected, continuously trained, and appropriately placed, low-income auxiliaries with minimum prior school-

ing seemed capable of assisting **directly** in the learning-teaching process with benefit to: pupils, teachers, administrators, home-school relations, and to the auxiliaries themselves as workers and persons.

2) Training — preferably team training of teachers and auxiliaries who would be or were working together — was seen as **the** essential to the effective use of auxiliaries.

3) Job definition was obviously necessary to set limits, but in the most successful programs such specifications were applied flexibly, to meet the needs of each learning situation.

4) Career development (assurance of stable employment, opportunity for advancement, and training at each step in the job sequence) was found to be least in evidence, although most crucial, in school systems throughout the country.





# study findings = education of the disadvantaged

## Some Special Needs of Disadvantaged Children

1) Education which is geared to the need of each child is important for all pupils but crucial for the disadvantaged.

2) Free movement and varied activities are particularly helpful for children with a high anxiety level who consequently exhibit restlessness and short attention span.

3) Communication between middle-class teachers and lower-class pupils is frequently difficult because of language and cultural barriers, lack of common experiences, and frequent inability of the disadvantaged to express their real feelings appropriately and constructively.

4) Insecurity about his adequacy for coping with life is a block to learning for any child. It is a frequent problem for those who have been subjected to indignities and inequalities in all phases of living, from early childhood on through adulthood.

5) A parent who has, himself, failed in a school setting, sometimes tends to be hostile to the school and ridicule education. Home-school conflict then becomes one of the destructive influences in the child's learning.

## How Auxiliaries May Help to Meet These Needs

1) Both teachers and auxiliaries may develop a different quality of relationship which is more pertinent to the child's needs when there are several concerned adults in the classroom instead of one.

2) More small groupings and a wider range of activities are feasible in an aided classroom than in a situation where one person is working all alone, often in an overcrowded classroom and with an overloaded schedule.

3) The auxiliary who lives in the child's own neighborhood often communicates with the child in a way that is neither threatening nor strange: He may help the child adjust to the unfamiliar world of the school and also interpret some aspects of his behavior to the teacher.

4) The low-income auxiliary who has faced up to and overcome some of the difficulties and frustrations the child now faces, says to the child by his very presence in the school: "It can be done. You, too, can succeed here."

5) Involvement of parents from the neighborhood in the classroom may help them support their children's learning. The parent who understands the school's goals may be the best interpreter of the school to the community. Further, parents-as-auxiliaries and teachers may alter each others' ideas and behavior and thus reduce the gulf between life styles of home and school.





# possible stages in career development of auxiliaries

## 1) AIDE SUCH AS:

GENERAL SCHOOL AIDE .....

LUNCHROOM AIDE .....

TEACHER AIDE .....

FAMILY WORKER OR AIDE .....

COUNSELOR AIDE .....

LIBRARY AIDE .....

### Illustrative Functions

Clerical, monitorial, custodial duties

Serving and preparation of food, monitorial duties

Helping teacher in classroom, as needed

Appointments, escorting, and related duties

Clerical, receptionist, and related duties

Helping with cataloging and distribution of books

### Training Suggested

Brief orientation period (2 or 3 weeks) in human development, social relations, and the school's goals and procedures, as well as some basic skill training.

no specified preschooling required.

## 2) ASSISTANT SUCH AS:

TEACHER ASSISTANT .....

FAMILY ASSISTANT .....

COUNSELOR ASSISTANT .....

LIBRARY ASSISTANT .....

### Illustrative Functions

More relationship to instructional process

Home visits and organizing parent meetings

More work with records, listening to children sent from class to counselor's office because they are disrupting class

More work with pupils in selecting books and reading to them

### Training Suggested

High school diploma or equivalent; one year's inservice training or one year in college with practicum

both can be on a work-study basis while working as an aide

## 3) ASSOCIATE SUCH AS:

TEACHER ASSOCIATE .....

HOME-SCHOOL ASSOCIATE .....

COUNSELOR ASSOCIATE .....

LIBRARY ASSOCIATE .....

SOCIAL WORK ASSOCIATE .....

### Illustrative Functions

More responsibility with less supervision by the professional

### Training Suggested

A.A. degree from two-year college or two-year special program in a four-year college.

both can be on work-study basis while working as an assistant

## 4) TEACHER - INTERN SUCH AS:

STUDENT TEACHER .....

STUDENT HOME-SCHOOL COORDINATOR .....

STUDENT COUNSELOR .....

### Illustrative Functions

Duties very similar to those of associate but with more involvement in diagnosis and planning

### Training Suggested

B.A. or B.S. degree and enrollment in a college of teacher education or other institution which offers a program leading to certification

## 5) TEACHER

NOTE: An auxiliary can enter at any stage in the career ladder, depending upon his previous training and experience. He can cease training at the level at which he feels most comfortable. Upward mobility should be possible but not compulsory. The auxiliary's work should be treated

with respect at each stage, so that he will have a sense of dignity and accomplishment, however far he may rise. Group and individual counseling should be available throughout both preservice and inservice training.



# types of work auxiliaries can do in schools with professional supervision

## 1) Examples of activities which directly support the learning-teaching process

The following activities were seen as particularly helpful in one project of the nationwide study which stressed listening, relating, supporting, inspiring, and serving as "trouble shooter":

- a) Taking charge of a small group which is working on a special project while the teacher works with another group
- b) Listening to a pupil tell a story
- c) Giving a pupil a chance to show he can do something well
- d) Encouraging pupils to help each other
- e) Interesting a restless pupil in some of the available activities
- f) Helping pupils learn how to settle arguments without fighting
- g) Talking quietly to a pupil who is upset
- h) Helping a pupil look up information in a book
- i) Helping pupils improve special skills (such as gym, sewing, or dancing).

These are merely illustrative of the wide range of activities that are possible and

sometimes desirable, always depending on the particular needs of the pupils, the ability of the auxiliary, and the leadership skills of the teacher. Persons from a disadvantaged area are sometimes slow in reading books but seldom slow in reading people. They pick up cues of trouble or of promise with alacrity.

## 2) Examples of activities which help the teacher by relieving him of noninstructional duties

The following activities were seen as particularly helpful in several of the demonstration projects, where the dual role of the auxiliary was stressed — that is, (1) helping the teacher, and (2) relating directly to the pupils. The task-oriented activities deemed most helpful were:

- a) Preparing audio-visual materials such as charts, at request of the teacher
- b) Keeping health, attendance records
- c) Checking supplies
- d) Filing and cataloging materials
- f) Operating equipment such as movie projector, slide projector, tape recorder
- g) Taking charge of pupils on various occasions, such as during lunch period, in hallways, on bus
- h) Checking playground equipment for safety
- i) Getting the classroom ready for the next day
- j) Running a duplicating machine

Some of these activities are regular assignments for which the auxiliary plans and takes initiative. Others are assigned at a given moment as the need arises. All are duties which may be delegated outright to the auxiliary, rather than duties which are supportive of instruction and carried out under the teacher's supervision. Most of them involve some contact with pupils, however, which the auxiliary may capitalize upon for pupil learning if he is sensitive to the opportunity.





### 3) Examples of activities which provide a link with home and community

The following activities are usually performed with the supervision of the school counselor or social worker. These activities were seen by the Study team as particularly helpful in the schools where auxiliaries were used in this manner:

- a) Visiting parents of children who are new to the school to welcome them to the school community
- b) Reporting to the counselor problems observed in home visits so that appropriate action may be taken
- c) Taking children to their homes when they become sick in school
- d) Talking with parents of children who have been absent or to such children and their parents together
- e) Working individually with a child who is too upset to remain in his own classroom and who is consequently sent to the counselor's office
- f) Helping to plan and organize parent meetings
- g) Talking with parents to find out how they feel about the school and reporting their reactions to a counselor
- h) Helping parents understand how children learn and grow, and relating this to the children's homework
- i) Helping recruit and register pupils in the preschool program
- j) Answering the calls of parents and giving them information and referring them to the proper source.

Of all the auxiliaries employed in a school, relatively few are usually assigned to the guidance department. For example, of the 24 auxiliaries working in each school in the Berkeley demonstration project, only four were counselor-assistants. They were selected from auxiliaries already working in the school who had shown most sensitivity to children's needs and had demonstrated their skills in working with pupils and communicating with parents.

The Study team observed that a cadre of counselor-assistants permitted the guidance counselor increased mobility. It guaranteed that there would be a concerned and knowledgeable adult in the office at all times, to talk with a child who had been sent to the guidance office,

to receive visitors, and answer the telephone. Since there was always at least one person in the office, the counselor could be reached in moments of crisis, even though the other three counselor-assistants might be in the field, performing such functions as making home contacts, working with pupils in the "cooling off room," or escorting children to clinics.

Some auxiliaries have special skills which are valuable for use in the classroom or the school at large. For example, auxiliaries who speak another language as well as English often are asked to serve as interpreters for parents who do not feel comfortable talking in English.

Perhaps the most important skill of all is the ability to listen and understand what the child is trying to say. "No one ever listened to me before," one auxiliary in Puerto Rico said of her experiences in an assistant training program. This woman, understanding the need to be listened to, went into the classroom determined to listen to what children were really saying, and to work with their concerns.

An ultimate goal of education may be expressed as helping children learn how to cope effectively with life situations. Auxiliaries have demonstrated their skills in helping children become self-directed. One auxiliary in Berkeley, California, recounted an experience in her school:

"One day I went to a child as I had been doing every day for several weeks to give him help in reading certain words. The child gave me a beautiful smile — one I'll never forget — and said proudly, 'I don't need you any more.' He was on his own. He knew I would be there if he needed me, but he now felt sure enough to work by himself."

The auxiliary, having identified with the goals of the school, saw this episode, not as a rejection of herself, but as a tremendous personal achievement.





# summary of recommendations based on demonstration programs

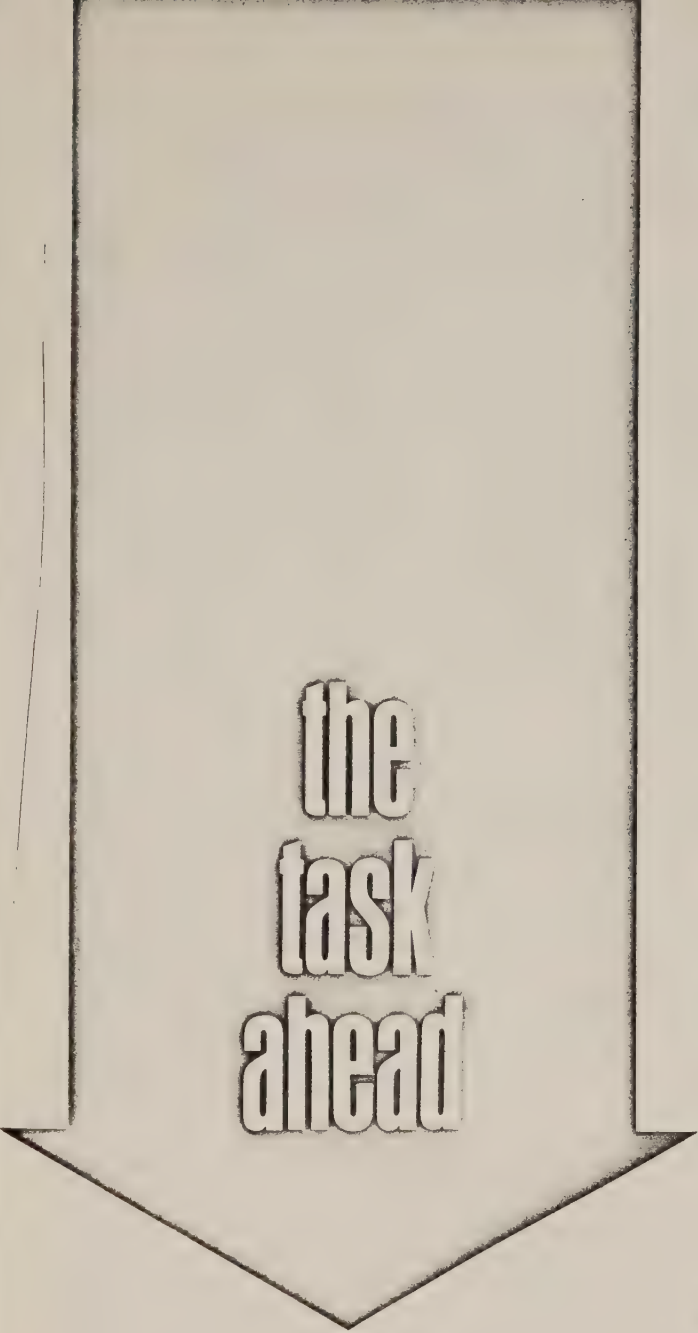
## It is recommended:

- That when a school system decides to utilize auxiliary personnel, the program be incorporated as an integral, permanent part of the system.
- That goals be thought through carefully, stated clearly, and implemented by means of definite procedures.
- That there be cooperative planning by school systems, local institutions of higher learning, and neighborhood representatives, both before and after the program has been instituted.
- That job definitions set a floor and a ceiling on the auxiliaries' activities; but that within these limits the auxiliaries' role be flexible, accommodating to situational and individual requirements.
- That career development be fostered in terms of job descriptions, salaries, increments, and fringe benefits, moving from primarily routine functions at the entry level to more functions which are relatively responsible and directly related to the learning-teaching process with appropriate training available at each stage on a work-study basis.
- That professional standards be preserved and that all tasks performed by nonprofessionals be supervised by a professional.
- That recruitment and selection tap the wealth of previously undiscovered talent, particularly among males and underachievers, who

appear to be capable of development in the specific role to be filled.

- That there be orientation of both the administrators and the professionals with whom the auxiliaries will be working, including an opportunity for the expression of resistance where it may exist, and for resolution of conflicts, leading, hopefully, to acceptance of the new leadership role of the professionals.
- That whenever possible, professionals be asked to volunteer, rather than having auxiliary personnel assigned to them without option.
- That there be preservice training of auxiliaries to develop communication skills, other concrete skills, and basic understandings needed for success during their first work experience in a school situation.
- That professionals and nonprofessionals who will be working together on the job receive preservice training on a team basis and intensified inservice training also as teams with competent supervision.
- The inservice institutes be developed for the team training of administrators, other professionals, and auxiliaries, on a school-wide basis.
- That encouragement of those who desire to train and qualify for advancement be expressed in such a way that others who prefer to remain at the entry or any other level feel no lack of job satisfaction, status, or recognition.
- That hiring precede training, so that trainees will be given orientation for an actual job, rather than for a job which, in the end, may not exist.
- That feedback from trainees be encouraged and that their comments be received with openness and serious consideration.
- That both group and individual counseling be available as an integral part of training.
- That the use of auxiliaries be explored at various levels, secondary as well as elementary and preschool.
- That time be scheduled during the school day or after school hours with extra compensation for teachers and auxiliaries and other professional-nonprofessional teams to review their team experience and plan together for the coming day.
- That an advisory committee of school administrators, supervisors, teachers, auxiliaries, parents, community leaders, and university consultants be established to evaluate and improve the utilization of auxiliaries in each school where such a program is undertaken.





## the task ahead

The values derived from the utilization of auxiliary personnel in the 15 demonstration programs did not accrue automatically from the introduction of more adults into the classroom. Many complex but not insoluble problems arose as school people moved into new roles and relationships. This section deals with some of the more urgent problems that may be faced and coping strategies that may be employed as effective interaction is developed among professionals, auxiliaries, pupils, and parents in a community-centered school.

## Reaching the Unreached

In most of the demonstration programs studied there was a tendency to do a certain amount of "creaming"—that is, selecting persons who, though poor, were most similar in values, appearance, and behavior to middle-class professionals. This was understandable in view of the importance of demonstrating that people below the poverty level and with little prior schooling can, in fact, make a valuable contribution to the learning-teaching process.

It appears that the time has now come to recruit and select those with potential which is less obvious though very real. This practice does not mean that anyone should be selected to work in a school simply because he is poor. There is no magic in poverty which automatically makes its victims able to reach out to others in a way which helps children learn and teachers teach. However, experience has shown that it is possible to "screen in" low achievers who have been "screened out" even of poverty programs — and with dramatic results in terms of combatting the sense of frustration, resentment, and loss of identity that may lead to violence.

### Action Needed:

- 1) Recruitment patterns to reach those most victimized by poverty and discrimination, particularly men.
- 2) Selection criteria and procedures which attempt to ascertain the ability of candidates to work well with children.
- 3) Brief preservice programs which serve a double purpose: (a) to train, and (b) to explore and develop potential strengths before assignment of specific duties.
- 4) Vocational counseling to help place in other appropriate jobs those who do not qualify for work in schools.

## Developing a Team Approach

Traditionally, many teachers have had an image of themselves as standing before pupils giving out information with the class-





room door locked — figuratively and sometimes even literally. When a child did not respond to the information, as presented, he was usually written off as a failure. Seldom was there any question as to **what** was being taught or **how** it was being taught as possible causal factors for the child's inability to learn.

Today, a searching self-evaluation has been initiated by many teachers, administrators, and other professionals such as specialists in curriculum, mental health, and physical health. The aim is to discover how to reach **every** child. The introduction of auxiliary personnel into the schools has strengthened such self-analysis, since professionals find they have to clarify their own goals and practices for themselves before they can interpret them to their helpers.

A new leadership role is emerging for teachers as they learn to coordinate the contributions of other adults in the classroom, very much as an orchestra combines strings, brass, and woodwinds into harmony. The "teacher-leader" analyzes the learning and emotional needs of children. He utilizes all available resources — professional and nonprofessional, human and material — in a unified program designed to meet those needs. The teacher is the pivotal person, responsible and accountable for seeing that learning takes place in the classroom.

However, many teachers see this new role as a dilution rather than an enhancement of teaching. For one thing, they fear that they might lose personal contact with children, even though the help they receive in performing routine tasks may actually increase rather than lessen their opportunity for interaction with individual children.

Other professionals, such as counselors and social workers, also tend to resent any intrusion onto their particular turf. Many professionals look at their own small part of the child, without ever sharing their views and values as part of a team.

In essence, the team approach means that members of a working team do not ask: "How come I always wind up doing this kind of job?" or "How can untrained people do any part of **my** job?" but rather,

"Which of us can learn how to perform this particular task in a way which will best help the pupil?"

#### Action Needed:

- 1) Team training of administrators, teachers, other professionals, and non-professionals, so that the needs of children become more important than the needs of the adults for personal achievement and recognition.
- 2) Application of the team approach simultaneously to the school as a whole and to each class situation — in fact the development of "teams within a team," so to speak.
- 3) Emphasis upon and preparation for this new and expanded role of teachers in institutions of higher learning which prepare teachers for certification.

### Involving the Community

As parents and community leaders begin to make new demands upon the schools and seek a new role in decision-making, delicate negotiations are required. Two essentials of successful negotiation are a balance of power and a willingness to "give" a bit on both sides. Too often, in the past, parents have negotiated from weakness of several kinds — lack of status, lack of "know-how," lack of communication skills. And all too frequently, in the past, both sides have taken inflexible positions.

One sensitive and extremely complex problem has been discovered as low-income parents assume new responsibilities in the school, i.e., the effect of this shift in role upon their relationship with their neighbors. Sometimes, those who take on leadership roles are rejected by their peers as having "sold out" to the Establishment. Sometimes, the reverse is true; the new leaders adopt middle-class values and reject their own people.

#### Action Needed:

- 1) Involvement of selected parents as auxiliaries in schools situated in both





advantaged and disadvantaged areas, with emphasis upon educational goals in training.

2) Establishment of school-community advisory boards composed of persons with various viewpoints in both school and community, working together toward analyzing realistically the situation and toward maximizing the contribution each group can make toward quality education.

3) Case by case analysis of each situation with counseling to support and guide the adjustment.

### **Facing the Administrative Challenge**

Administrators are not only chiefly responsible for establishing overall goals and policies, setting the tone, and identifying what functions need to be performed by whom; they are also responsible for implementing these decisions through fiscal operations and organizational procedures.

In the fiscal realm uncertainty as to continued federal funding is a major problem. This uncertainty inhibits career development with its concomitants of job sequence including graduated compensation, increments, and fringe benefits as well as work-study programs with remuneration for study and educational credit for work experience.

There are also many procedural matters to consider such as (1) matching the "right" kind of auxiliary with the "right" kind of teacher within an appropriate situation; (2) allowing teachers to volunteer to use auxiliaries, or at least to self-select them; (3) providing the opportunity to change partners with the minimum of sensitivity when the principal problem appears to be a clash of personality; and (4) scheduling time within the school day for the teacher-auxiliary teams to review their experiences in the classroom and plan together for the next day.

The role of the administrator as interpreter to board, parents, and staff may

seem burdensome to one who is not, himself, convinced of the ultimate values of auxiliaries to the school, and who lacks assistance both within and outside the school in coping with the complexities of the challenge.

### **Action Needed:**

1) Assurance of continued funding by government, as is unquestioned for roads and the maritime industry.

2) Priority in school budget "hard funds" for the employment and training of auxiliary personnel.

3) Close cooperation and joint planning by schools and local institutions of higher learning to develop work-study programs.

4) Orientation of administrators through institutes and workshops involving professional associations, unions, and community agencies at some point in the discussion.

5) Additional personnel in each school to provide for administration and supervision of special projects, made possible by federal funding, such as projects for the use of auxiliary personnel.

6) A plan for career development in each school system, along the lines of the model on pp.8-9.



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## Consultation and Information Service

offers assistance to school systems, institutions of higher learning, community action agencies, and to groups and individuals interested in developing programs for the training and utilization of auxiliary personnel.

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ernment. No writer can be accredited without first passing a security investigation. . . No article can appear without the approval of Ky's censors."

At Honolulu, Premier Ky promised ratification of the constitution by secret ballot and elections rooted in that constitution. Without a free press the elections are a sham and a mockery.

Is it any wonder, therefore, that the New York Times last Sunday, June 25, 1967, carried a dispatch from Saigon headed: "Landowners Win in Vietnam Vote: Hamlet Chiefs Keep Control in Most of 4,476 Districts."

South Vietnam is plagued by a problem of absentee landlords of its farmlands. Two-thirds of the farmers in agricultural areas are tenant farmers and even today, as it has been since Diem's day, when a village is pacified, the representatives of the absentee landowners ride in with the soldiers to collect back rents.

While the much publicized village elections have been held, it should be noted that district and province chiefs, under whose direction and control the elected village chiefs must operate, are still appointed by Premier Ky's government in Saigon.

I ask unanimous consent that the story in the Washington Post for this morning, June 26, 1967, entitled "Novelist's Arrest Seen Tied to Ky's Campaign" and the dispatch to the New York Times, which appeared in that paper on June 25, 1967, entitled "Landowners Win in Vietnam Vote" be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, June 25, 1967]  
LANDOWNERS WIN IN VIETNAM VOTE—HAMLET CHIEFS KEEP CONTROL IN MOST OF 4,476 DISTRICTS

(By Tom Buckley)

SAIGON, SOUTH VIETNAM, June 24.—The traditional wielders of local power in Vietnam apparently will continue to wield it as a result of elections for hamlet chiefs over the last two months.

According to a study prepared by the Vietnamese Government of the 4,476 hamlets in which elections were held, the winners, by occupation, were: farmers, 2,263; former hamlet and village officials, 1,676; businessmen, 284, and former civil servants, 247. No occupation was given for six persons.

Although no breakdown of the farmers' income level was available, it was considered likely that most were landowners rather than tenants, who make up about two-thirds of the population of agricultural areas.

The good show of the landowners had been unexpected. It echoed the elections for 988 village councils in April and May. Nevertheless, American observers were encouraged by other factors.

Among these was the large percentage of voters. Of 2,933,000 registered, 2,310,000 went to the polls. The figures for the earlier elections were 3,233,000 and 2,511,000.

#### LESS VOTER COERCION

The observers did not rule out the possibility that the results might have been affected by coercion or stuffing of ballot boxes, but they doubted whether this had accounted for more than 1 or 2 per cent of the total.

There also was less interference by the Vietcong during the hamlet elections than during the earlier village voting. A total of 555 terrorist incidents were counted in the first and only 35 in the second.

Elections were canceled in only 133 hamlets, because officials decided that they were not adequately secure.

The voting was held only in what were thought to be the most secure of the country's 2,535 villages and 13,805 hamlets. Elections in 275 more villages and 1,500 more hamlets are tentatively scheduled in late autumn after the South Vietnamese presidential and Senate elections in September.

Observers, were also pleased by the restoration of the traditional hamlet and village electoral process, which was abruptly ended by Ngo Dinh Diem when he was president.

President Diem, who was assassinated in 1963, was a believer in strong central authority. He canceled the elections in 1956 and thereafter appointed village and hamlet officials from Saigon. This hardened the countryside against him, aided the Vietcong and led to his downfall.

The restoration of elections was resolutely pushed by William Porter, former Deputy Ambassador of the United States, despite the less-than-enthusiastic support of the central Government.

The results of the elections, one source said, gave "unquestioned evidence of the political vitality of the Vietnamese villagers."

Questions have been raised, however, about the organization of the village administration. This consists of an elected council of 8, 10 or 12 members, depending on the size of the village. The candidate who gets the largest number of votes becomes the chairman.

The chairman, with the consent of the council, then appoints a member to act as executive chief of the village. The chairman, however, is excluded from holding that position. As a result, it is said, the natural leader of the village plays an advisory role in the conduct of day-by-day village affairs and the village chief becomes the most powerful single official.

Villages in Vietnam are administrative groupings of several hamlets. The village itself has no physical existence. Its offices are generally situated in the largest or most central of the hamlets.

The hamlet chief is an administrative arm of the village council. In recent years his major concern has been security against Vietcong or North Vietnamese attack. In turn he has become a frequent target of terrorism.

Observers acknowledge that a marked improvement in democratic institutions in Vietnam must await the end of the system of central appointments of district and province chiefs. But they believe that the existence of popularly elected councils will force higher officials to take account of what the people want.

[From the Washington Post, June 26, 1967]

#### NOVELIST'S ARREST SEEN TIED TO KY'S CAMPAIGN

(By Richard Harwood)

SAIGON, June 25.—On the first or second day of June—the precise date is uncertain—the novelist and literary critic, Vu Hanh, was secretly arrested by the special branch of the national police.

His fate became known last week; the police announced that Hanh was in custody and had confessed to "helping the Communist in their attempt to conquer South Vietnam."

The police refused to elaborate on Hanh's alleged crime. They refused the request of American journalists to interview the writer and refused to make available copies of his confession.

#### VAST NUMBERS

American officials estimate that thousands of political prisoners are being held by the Ky government in jails and detention camps throughout South Vietnam. "Vast numbers," according to a document issued by the U.S. Agency for International Development last

November," . . . have never been tried and . . . have no idea when or how they will ever be released."

Only yesterday, a prominent local businessman, Ngu Tang, whose family had reported him kidnaped some time ago, turned up in the hands of the police. He was charged with conducting Communist propaganda among Saigon intellectuals. Earlier this month, the writer, Nguyen Si Hong, was arrested, although that fact has not yet been officially announced, nor the charges against him.

The case of Vu Hanh, however, was in some ways different. Nearly six months ago the rabble-rousing Saigon Newspaper, Song, accused Hanh of pro-Communist leanings. The charge stirred a major controversy in journalistic and literary circles, with a majority of the Saigon newspaper and writers coming to Hanh's defense. The government propaganda ministry, which controls the Vietnamese press, was forced to intervene and stop the debate.

In effect, the ministry exonerated Hanh of Pro-Communist leanings. Hanh thereupon filed a slander suit against Song and its free-swinging publisher, Chu Tu. If successful, he would have collected damages and Tu would have been forced to close down his newspaper.

#### DELAY GRANTED

Tu asked the court for a postponement of the suit. It was granted. He then asked for another postponement and it was granted. But a firm trial date was then set—June 10.

With Hanh's arrest, Tu got another reprieve, perhaps a permanent one.

The arrest and the slander suit appeared to be unrelated except for one coincidental circumstance. Song's newspaper is supported, according to a written report made by the joint U.S. Public Affairs Office some weeks ago, by both Premier Ky and Brig. Gen. Nguyen Ngoc Loan chief of the national police and director of military security.

Many of the articles in Song are written by officers of Ky's regime. Gen. Loan, a powerful and shadowy figure in Vietnamese affairs, is actively promoting Ky's presidential aspirations through the instrument of the national police.

#### SUSPICIONS STIMULATED

These circumstances have aroused speculation in the Vietnamese literary community that Hanh was arrested, in part, to protect Song from the consequences of the slander suit and hence to protect an organ that may prove important in General Ky's campaign.

These suspicions have been further stimulated by the belief that Hanh was not arrested on any warrant issued by a Vietnamese court but was seized on the orders of General Loan, who has virtually unlimited authority to detain any person "considered as dangerous to national defense and public security."

American officials here have taken a wholly indifferent attitude toward the case. One of the highest officials in the American civilian mission, when asked about the case, replied:

"We don't have time to go around investigating every arrest that's made in Saigon." Vietnamese writers, when guaranteed anonymity, are pessimistic.

"It is not greatly different now," a respected journalist said yesterday, "than under the Diem regime. The controls are very effective."

No magazine or newspaper can be published without the consent of the Ky government. No writer can be accredited without first passing a security investigation conducted by General Loan's agency. No article can appear without the approval of Ky's censors.

One of Hanh's literary friends said yesterday:

"The only people who have profited from this arrest are the Vietcong and Hanoi. Their



broadcasts are already full of it. They are using it as proof that there is no intellectual freedom in South Vietnam."

### AMENDING THE BANKRUPTCY LAWS

Mr. MONDALE. Mr. President, testimony before the Committee on Banking and Currency has frequently pointed to the rising number of consumer bankruptcies as evidence of overextension of consumer credit and of the need for a truth-in-lending bill. The Subcommittee on Financial Institutions has unanimously reported S. 5, to require full disclosure of credit costs in terms of dollars and cents as well as annual percentage rates.

Consumer bankruptcies have increased by 80 percent since 1960, and by over 600 percent since 1950. This increase has been even larger than the rise in consumer installment debt outstanding—up by 74 percent since 1960, and by over 400 percent since 1950.

A truth-in-lending bill can afford a first line of defense for consumers against overcommitment to heavy debts loaded with concealed and complicated finance charges.

I have been distressed to learn that the House Committee on the Judiciary now has under consideration a bill that would seal the fate of wage earners who have failed to keep up with the burden of their debts. The bill, H.R. 1057, would deny the relief of straight bankruptcy to overburdened wage earners unless they could make an affirmative showing that they cannot repay their debts out of future earnings in accordance with an arrangement under chapter XIII of the Federal Bankruptcy Act. This proposal to attach future earnings of distressed debtors, through procedures of the Federal Courts, would apply only to wage earners and not to any other class of debtor. All other debtors would retain the right to a discharge of debts through straight bankruptcy. Thus, the proposal discriminates against wage earners and is unfair.

Mr. President, I do not believe Congress should take away the last inhibition upon certain lenders and sellers to refrain from excessive extensions of credit to those in the lowest income brackets whose incomes have the least protection. Most responsible leaders of the credit industry have no desire to extend credit to those who cannot afford it. Yet, H.R. 1057 would make it easier for the cutrate operator to extend even more excessive amounts of credit. Such a proposal is not only against the interests of wage earners—it is against the long-term interests of a responsible credit industry.

To its credit, the AFL-CIO has come forward and forthrightly opposed H.R. 1057. I ask unanimous consent to have printed in the RECORD the testimony on the bill delivered by Mr. Andrew J. Biemiller, legislative director of the AFL-CIO, on May 25, 1967, before Subcommittee No. 4 of the House Committee on the Judiciary.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

STATEMENT BY ANDREW J. BIEMILLER, DIRECTOR, DEPARTMENT OF LEGISLATION, AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS, TO SUBCOMMITTEE NO. 4 OF THE HOUSE COMMITTEE ON THE JUDICIARY, ON H.R. 1057, A BILL TO AMEND THE BANKRUPTCY ACT WITH RESPECT TO THE USE OF CHAPTER XIII, MAY 25, 1967

Mr. Chairman, my name is Andrew J. Biemiller. I am the Director of the Department of Legislation of the AFL-CIO. I am appearing today in opposition to H.R. 1057, a bill to amend the Bankruptcy Act with respect to the use of chapter XIII.

Mr. Chairman, this bill would foreclose a wage earner from obtaining the benefit of a petition in bankruptcy unless he can prove that he is unable to make a chapter XIII arrangement to pay his debts out of future earnings. Since we in the AFL-CIO represent thirteen and one half million wage earners and their families, we feel it our duty to inform the Congress of our strong feelings about the bill. Our responsibility is emphasized by a 1963 Northwestern National Life Insurance survey which shows that the typical bankrupt grosses between \$4,000 and \$6,000 a year. In short, the typical bankrupt is a worker.

Our objections rest in three main categories. The bill, contrary to the principles of our bankruptcy laws, precludes an honest debtor from a discharge of the burdens of his debt. The bill discriminates against a wage earner denying him privileges which are left available to all other debtors, including corporations. Lastly, the bill does not cure the economic evil of supereasy credit, the dominant cause of wage earner bankruptcy, but encourages easier credit still by placing another collection weapon in the hands of the already too heavily armed creditor.

The bill prevents an affected wage earner from exercising his right to a discharge of his debts. According to one leading authority, the bankruptcy law of the United States has for its fundamental object, "the securing of possession of an insolvent's assets and the procuring of their equitable division among creditors, preventing an avoiding attempt of one creditor to obtain unfair advantage over other creditors therein; and second, the liberation of worthy debtors from the burden of unpaid debts" 1 *Remington* § 16.

The idea of "liberation of worthy debtors from the burden of unpaid debts" as an essential purpose of bankruptcy is ingrained in our law. It operates, as the Supreme Court said in a 1918 decision "to aid the unfortunate debtor by giving him a fresh start in life." The court went on to note that "(Its) decisions lay great stress on this feature of the law."

H.R. 1057 would deny to this single underprivileged, overburdened class of debtors, the wage earners, their right to one fundamental purpose of the Act. H.R. 1057 says to the wage earner, "If you can pay your debts from your future earnings you shall not be discharged in bankruptcy." To so preclude the worker from this right, while preserving it inviolate to the fictitious corporation, the proprietor, the partner, the farmer, the professional man, would cast our bankruptcy law almost back to its origin—the debtors prison.

Mr. Chairman, we believe that men have a moral obligation to pay their debts. But our law recognizes that this obligation cannot always be met because of other considerations and that in due time the legal obligation may diminish. That is why, Mr. Chairman, our law does not require dire insolvency as a condition of bankruptcy. The petition needs only to allege that the debtor has debts he cannot pay.

Of course there are abuses. There have no doubt been cases brought before the committee of persons with irresponsible debts and a clear and unfettered ability to pay

them from future earnings. But it is repugnant to the AFL-CIO and our system of law itself that the abuse of a right by some should result in the denial of the right to all.

The coercive feature of the proposed legislation raises a serious issue of an individual's right to privacy, not present so long as a Chapter 13 plan is purely voluntary. The Court not only protects the wage earner against harassment but equally important it assumes complete management of the wage-earner's personal financial affairs.

The debtor and his family in effect become a ward of the Court. If such an arrangement is coercive, rather than voluntary, the debtor is reduced to the status of a minor or a mental incompetent without adjudication as such. We suggest that this raises serious questions of personal liberties and rights.

I have already touched upon the discriminatory aspect of H.R. 1057. Briefly the bill applies only to wage earners. They are denied straight bankruptcy on failure of a burden to show inability to comply with a chapter XIII arrangement. But the fictitious corporate and non-wage earner debtors may avail themselves of straight bankruptcy without obligation to the appropriate chapter and arrangement. Were not the responsible officers of the corporation or the non-wage earner just as liable for the detriment of the creditors? I hasten to assure the committee that we do not challenge their rights under the system. We simply want to preserve the same status for the wage earner.

This gross discrimination becomes more stark when the situation is looked at in another light. Under a chapter XI or chapter XIII arrangement a debtor may abandon the whole deal and revert back to straight bankruptcy on any fraudless motive, as he should be able to. But we wonder, doesn't H.R. 1057 forbid this since it virtually precludes straight bankruptcy in the first place? We think it does.

I want to emphasize that our opposition to H.R. 1057 should not be construed as opposition to chapter XIII itself. The whole thrust of chapter XIII is to give the able and conscientious debtor the *voluntary* means to pay his just debts. Indeed over 28,000 debtors opted chapter XIII in Fiscal 1966 and based on present unofficial estimates some 32,000 will do so in Fiscal 1967. We insist, however, that chapter XIII be kept purely optional lest it become, as is proposed, perverted from a protective and rehabilitative mechanism to relieve debtors into a coercive collection method to relieve creditors.

Finally, we suggest that H.R. 1057 takes a narrow and inhumane approach, primarily in behalf of creditors rather than debtors, to the whole problem of excessive use of credit and ensuing wage-earner bankruptcies. The AFL-CIO has long been concerned with abuses in credit and wage garnishment legislation of which rising bankruptcy filings are symptomatic.

We have asked that the Congress enact a truth-in-lending bill to compel the full disclosure of actual costs of consumer credit in terms of dollars and cents and in terms of the often shocking rates of true annual interest. We have called attention to abusive wage garnishment statutes and other credit abuses. In a 1959 Resolution, for example, the Convention Resolution on Consumer Protection included the following statement:

"We recommend to state legislatures that they extend and improve laws regulating operations of small loan companies and the terms of retail installment sales. We urge the further establishment and improvement of laws protecting workers against onerous terms of wage garnishment in payment of debts and that effective means be found to curb the operations of unscrupulous merchants seeking to possess themselves of workers' paychecks by deceptive extension of credit."



Garnishment laws and wage assignment laws in particular are an invitation to the irresponsible extension of credit. The creditor who knows he can collect through wage attachment proceedings cares little whether the debtor is a good credit risk or not. Where garnishment laws are harsh, a worker may be driven directly into bankruptcy to escape garnishment, and more especially where the worker is threatened frequently, with the loss of his job on account of a garnishment. Or he may desperately attempt to stave off bankruptcy by contracting further debts from loan companies or debt poolers, thus compounding his financial distress.

In a November 1966 pamphlet entitled "Garnishment and Debt Pooling in Relation to Consumer Indebtedness", the U.S. Department of Labor, Bureau of Labor Standards called attention to the high ratio of wage earner bankruptcies in those states which have harsh garnishment laws. For example, in 1965, in California where garnishment is obtained easily there were 25,580 personal bankruptcies while in Pennsylvania, with no garnishment there were only 512. (I have attached a more detailed excerpt from this study as Appendix A). The obvious conclusion is that easy credit exists where protected and encouraged by garnishment statutes and garnishment drives wage earners to bankruptcy. Most writers and even some proponents of this bill will agree that garnishment is a key factor in personal bankruptcy. Workers who become over-extended on credit under the threat of having all or nearly all of their wages garnished, and, in some cases are threatened with their jobs, will naturally choose the out that the law from time immemorial provides—the bankruptcy route.

We suggest that H.R. 1057, far from ameliorating the problem of over-extension of credit, will contribute to further abuses by giving creditors a more certain guarantee of repayment of debt through coercive use of Chapter XIII debt repayment plans. The bill is not a cure, but only a liniment for the serious situation underlying the tremendous rise in wage-earner bankruptcies in recent years. Far more fundamental reform is needed in the array of creditors' weapons against borrowers in the form of harsh garnishment laws, cognovit notes, deficiency judgments, and the like.

In March, 1966, the Executive Council of the AFL-CIO called upon the Congress to "undertake or authorize a comprehensive study of consumer credit laws and practices."

One such study, directed toward wage garnishment laws, is already under way, by order of President Johnson. The President in his Message to the Congress on Urban and Rural Poverty, made the following announcement:

"Hundreds of workers among the poor lose their jobs or most of their wages each year as a result of garnishment proceedings. In many cases, wages are garnished by unscrupulous merchants and lenders whose practices trap the unwitting workers.

"I am directing the Attorney General, in consultation with the Secretary of Labor and the Director of the Office of Economic Opportunity, to make a comprehensive study of the problems of wage garnishment and to recommend the steps that should be taken to protect the hard-earned wages and the jobs of those who need the income most."

We respectfully urge that the Committee withhold its approval of H.R. 1057.

#### APPENDIX A

##### WAGE GARNISHMENT

Wage garnishment is a collection method used by creditors to force payments of an employee's debts by requiring the employer to deduct payments from the employee's earnings before he receives his paycheck. Garnishment is a dangerous prospect for the wage earner because it reduces his available

income for other day-to-day expenses, and because of the possibility he may lose his job, due to the employer's unwillingness to become involved in the garnishment process. (New York this year became the first State to prohibit discharging an employee solely because his pay is garnished.)

Garnishment laws include some protection for the debtor by exempting a portion of his earnings from the garnishment proceedings, to enable him to continue to support himself and his family. The portion of wages that may be garnished is limited to some extent in 48 States, the District of Columbia, and Puerto Rico; in a few of these States it is very strictly limited. Wages are not subject to garnishment in Texas and Pennsylvania.

The exemptions, and the circumstances under which they may be claimed, vary greatly from State to State. Some jurisdictions exempt a percentage of the worker's earnings, while others exempt a specified amount. Sometimes the exemption is allowed only to a head of family or only to residents of the particular State. Under some laws, it is still possible to garnish a worker's wages for two or more debts at the same time. Thus some States give more protection to a debtor than others. For instance, the California law exempts 50 percent of the worker's wages in all cases, and up to 100 percent if necessary for the use of the debtor's family, except for debts for necessities. In actual fact, however, a very small minority of those garnished obtain an exemption of over 50 percent due to the complexities of the law. In Maine the exemption is \$30 for the preceding month. On the other hand, Hawaii exempts from garnishment 95 percent of the first \$100 per month, 90 percent of the next \$100, and 80 percent of the balance.

Sometimes the debtor must specifically claim the exemption himself or must prove to the court that the family needs his earnings. The person living in poverty and ignorance is not likely to be aware of his rights, and in some cases his entire paycheck may be garnished.

There seems to be a direct connection between the number of garnishments and the number of personal bankruptcies. Studies have shown that States which have harsh garnishment laws and and poor credit regulation have the highest number of personal bankruptcies proportionate to their population. States with less harsh laws, such as New York which exempts 90 percent of the debtor's pay, have a much lower rate of personal bankruptcies than do States with inadequate exemption provisions.

In 1965 the number of personal bankruptcies filed in Federal courts increased for the 13th straight year. Over 180,000 bankruptcies were filed, of which 163,400 (over 90 percent) were personal or "consumer" bankruptcies. A survey of referees in bankruptcy, conducted early in 1965 by the Administrative Office of the United States Courts, stated "The harsh garnishment laws of California, Minnesota, Ohio, Tennessee, Virginia, and Michigan were given as a major cause of insolvency. Loose credit was frequently blamed. Grasping practices, harsh collection laws, inadequate exemptions, unregulated finance charges on retail credit sales and unrealistic deficiency claim judgments were blamed along with reckless buying and cognovit notes."<sup>1</sup> The report indicated that when a collection agency goes after a debtor's wages, facing his employer's policy of nongarnishment, he files bankruptcy in order to save his job. Other States also cited as "bank-

ruptcy capitals" are Alabama, Colorado, and Oregon.

In the States mentioned above, the following number of voluntary bankruptcies were filed by employees in 1965:

Alabama	9,522
California	25,580
Colorado	3,203
Michigan	5,877
Minnesota	2,567
Ohio	14,850
Oregon	3,080
Tennessee	8,602
Virginia	4,049

These figures can be compared with the number of employee voluntary bankruptcies in States that prohibit or strictly limit garnishment of wages:

Alaska	76
Florida	507
Pennsylvania	512
South Carolina	140
South Dakota	144
Texas	329

A law allowing only limited garnishment would be a deterrent to easy credit, because the businessman would be less inclined to use the courts as his collection agency, as is often the case now.

#### JOINT ECONOMIC COMMITTEE WINS SCORECARD ON WAR SPENDING

Mr. PROXMIRE. Mr. President, the effects of Vietnam war expenditures represents one of the biggest uncertainties facing both business economists and public policymakers alike. Last year, for example, the understatement of Vietnam expenditures and the absence of timely information on increases made it impossible for Congress to deal adequately with inflationary pressures.

The Joint Economic Committee, which I have the honor to chair, has worked hard for the past 6 months to correct some of the existing omissions. One result of our efforts is the publication of a new series on defense financing by the Department of Defense entitled "Selected Defense Department Indicators." This series will report contract and related economic information on a monthly basis. It will help appreciably to keep the Congress and the public informed on the discussion of defense expenditures.

A preliminary version of the report has already been issued by the Joint Economic Committee. Utilizing fiscal year 1967 figures, the report indicates that signs showing defense expenditures would surpass budget estimates were notable as early as the March-June quarter. Had Congress had such a compilation of data before it when these danger signals first appeared in 1966, more effective action might have been taken to head off developing inflationary pressures and avoiding the subsequent excessive reliance on restrictive monetary policy.

The report should prove valuable for planning purposes also. For example, many businessmen and private analysts could have used the information noted above in late 1966 when forecasts and spending outlines for 1967 were being drawn up. But they were hampered by a lack of information concerning future Defense spending trends. Were they to have known the third quarter Defense obligation figure of \$19.2 billion, they would have been able to gage the con-

<sup>1</sup> A cognovit note, or confession of judgment, is a prior written admission of liability for a debt given by a debtor as security for the debt. Its effect is to simplify later legal procedures for the creditor to collect on the debt and, conversely, to make more difficult the debtor's efforts to contest it.



tinued expansion of military demand. It would thus have finally laid to rest the obsolete January 1966 budget estimate that Defense obligations would decline somewhat in the 1967 fiscal year.

The report represents a beginning. We expect further improvements. The Office of Statistical Standards of the Budget Bureau, in particular, should coordinate efforts of the several statistical agencies to improve related statistical series to provide greater insight into the response of various sectors of the economy to shifts in Defense plans.

One vital information area covers the monthly census data on shipments, orders and inventories in industries from which the Defense Department is a large buyer. Better figures showing effects of changing Defense activities on these industries are needed so that defense-oriented changes can be separated from the influence of changing civilian demand. It would be extremely valuable, also, if Bureau of Labor Statistics data could be improved and rearranged to show the impact of Defense activity on private employment as well as to provide appropriate measures of prices paid for defense-related products.

Mr. President, the June 26, 1967, New York Times carries an article by Robert A. Wright entitled "Score Card Set on War Spending." I ask unanimous consent that this account may appear in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

**"SCORE CARD" SET ON WAR SPENDING—DEFENSE DEPARTMENT PLANS TO PUBLISH DATA MONTHLY AS URGED BY CONGRESS**

(By Robert A. Wright)

The Defense Department will begin publishing Friday what will amount to a monthly economic score card for the Vietnam war.

Entitled "Selected Defense Department Indicators," the new monthly report represents fruition of a long campaign by Senator William Proxmire, Democrat of Wisconsin and chairman of the Joint Economic Committee, and Representative Thomas B. Curtis, Republican of Missouri, its ranking minority member.

In announcing the publication, Senator Proxmire said: "It should fill a significant gap in Government reporting of its activities that was revealed during recent hearings of the Joint Economic Committee on the economic effects of the Vietnam war."

"It will be of tremendous help in attempting to gauge the course of defense expenditures over the next year."

In fiscal 1967, which ends Friday, the Vietnam war costs of \$20-billion are about double what the Administration contended they would be, despite Congressional estimates that were much closer to the mark. The House Appropriations Committee and the Senate Preparedness Committee now estimate that the fiscal 1968 budget, at \$22-billion, is \$6-billion below the mark.

#### DISAGREEMENT ON "GOOF"

Last year's miscalculation caused Congress to commit a "monumental goof" when it did not reduce spending or raise taxes, Senator Proxmire has charged. Budget Director Charles L. Schultze contended in rebuttal that expenditures in 1966 were close to estimates until the third quarter of the year.

In a preliminary version of the new publication, Senator Proxmire and Representative Curtis attempt to show the usefulness of having the report issued monthly.

They say the figures show that the first signs that defense spending would appreciably outrun budget estimates began to show up in the March-June quarter of last year, when gross defense obligations rose to \$21.6-billion from \$15.1-billion in the preceding quarter. This was a level, the legislators declare, that "clearly indicated" that the Vietnam build-up "was continuing at a rapid pace and would have a serious impact on the American economy during the early part of the year."

Senator Proxmire noted that much of the data in the new report was already available from the Defense Department in one form or another but that the new monthly for the first time would bring such data together in a single package for the convenient use of a wide audience—Congress, the public, economists and business analysts.

#### LOOKING FOR SIGNALS

He added: "Had the Congress had such a compilation of data before it, when these danger signals first appeared in 1966, more effective action might have been taken to head off developing inflationary pressures and to avoid the subsequent excessive reliance on restrictive monetary policy."

"Such a report would also have been of value later in 1966 when many businessmen and private analysts were preparing their economic forecasts and plans for 1967. At a time when they were uncertain about the future trend of defense spending, the third-quarter defense obligation figure of \$19.2-billion, if promptly and widely available, would have clearly confirmed the continued expansion of military demand."

Senator Proxmire said that, although the new publication went a long way toward satisfying the needs the committee's hearings had disclosed, he expected other Government agencies to seek further improvements in reporting.

#### THE UNCONSCIONABLE DRAFT

Mr. GRUENING. Mr. President, "wretched" is the term which the New York Times applies editorially to the draft bill extension enacted by the Congress and now awaiting the President's signature. That to a degree accounts for the fact that despite the widespread assumption that the draft is necessary and its approval by Congress, nevertheless 24 Senators, one less than one-fourth of that body, voted against the conference report on the bill, and that 29 Members of the House voted against it. True, the greater number of these dissenters, as the debates in both Senate and House showed, voted against the inequities and discriminatory provisions of the bill. A few of these shared my view that the whole draft itself is inequitable at this time, and as the Senator from Oregon, MARK HATFIELD has so well put it, "pernicious in its invasion of individual liberty that eight generations of Americans have fought to preserve."

The draft is particularly inequitable because it discriminates against the young Americans who by it are compelled, whether they will it or not, to engage in an illegal, immoral, unjustifiable, unnecessary and monstrous war. The truth, which has so long been concealed by official propaganda, is that the U.S. unilateral military invasion of Southeast Asia was not in response to any attack on the United States and that no vital interest of the United States was in jeopardy. The truth, which will ultimately become known, is that the United States invited itself into South Vietnam

unasked, helped precipitate a civil war in which we took the side, first of a puppet whom we installed whose oppressive policies triggered the civil war, and when he was no longer serviceable approved his removal, and then continued to support a series of self-imposed corrupt juntas having little or no popular support and unresponsive to their people's needs. And when we began violating existing treaties to which we were signatories and our specific commitments to support the elections provided by the Geneva accords, and began bombing north and south, and landing combat troops, it is we, the United States, who became the aggressor. To this may be added that some 25 percent of the South Vietnamese Army have been deserting. In 1965 their number was 96,000. Last year it rose to 110,000.

Why should we draft our young men to take the place of these deserters? Our "white hope" Marshal Ky, whose hero by his own statement is Adolf Hitler, has just called for an increase of GI's to 600,000. He is willing to fight to the last American boy!

This whole shameful military adventure is getting us deeper and deeper into a ground war on the continent of Asia, which President Johnson repeatedly in his 1964 campaign speeches pledged not to do.

Our alleged establishment of democratic principles and practices among the South Vietnamese is farcical. We are supporting a corrupt dictatorship under which neither freedom nor democracy exist.

As for stopping communism, our efforts are, on the contrary, aiding communism. Thus far, neither the Chinese nor the Russians have committed a single soldier to combat. Yet we have to date sacrificed over 11,000 fine young Americans killed in combat—fighting a primitive peasant people—and over 60,000 of our boys have been wounded, many crippled for life—blinded, paralyzed, armless, legless. And our casualties and costs are steadily mounting.

If the United States had been attacked, if any vital U.S. interest had been imperiled, as in previous wars, there would be little need of a draft—or there would be little opposition to it. As it is, it is an outrage. It is too bad that the President cannot be persuaded to veto it, but unfortunately he has committed himself so deeply that he has been unable to extricate himself and our Nation from this needless mess.

I ask unanimous consent that the editorial entitled "Unmuddling the Draft," published in the New York Times, which at least expresses a part of the objectionable aspects of the present legislation, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 26, 1967]

#### UNMUDDLING THE DRAFT

The imminent expiration of the current Selective Service law gives President Johnson no option except to sign the wretched extension bill Congress passed last week. But it would be grossly unfair to millions of young Americans to let the new draft measure stand unchanged for all of its four-year term.



CHAPTER I  
HIGHER EDUCATION FOR NEGROES:  
CHALLENGES AND PROSPECTS

KENNETH B. CLARK\*

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Psychology, City College of the City University of New York*

This particular address disturbs me more than usual. I am required not to discuss abstractions; not treat justice or injustice in the abstract; rather I shall talk about myself in a deeply personal way, discussing those forces which helped to shape my thinking, namely the Negro college and university. It is a fact that one cannot deal realistically with our symposium theme, "Higher Education for Negroes: Challenges and Prospects," without dealing directly with the nature, present structure, and the future of Negro colleges and universities. This is true because eighty per cent of the Negroes enrolled in the nation's higher educational institutions are to be found in what we euphemistically call "predominantly Negro colleges." We, therefore, must address ourselves to trying to understand these colleges — their past, the phases through which they have gone, their present, and their future.

Over a century ago, Negro colleges were set up to meet a very important social need in America; namely, the need of the newly-freed Negro slaves to be educated in order to become constructive, contributing members of American society. The Freedmen's Bureau's participation in the founding of Negro colleges reflected a time of hope. The activities

of this and other agencies and groups which were responsible for setting up Negro colleges a century ago seemed to have been based upon the assumption that the promises of American democracy, the promises of equality, would be extended to the Negro American; and the related assumption that the Negro could be and should be prepared to enter the main stream of American political, economic, and social life.

Howard University was founded in this climate of hope. It is, therefore, fitting that the celebration of the centennial of Howard University be a time for sober review of the past, agonizing and disturbing appraisal of the present, and a bold and imaginative thinking and planning for the future.

Howard University, I believe, can make a major contribution to the substance and quality of American education if it dares to use this centennial celebration as an occasion by which it faces the facts and asserts them with a clarity unafraid.

One, I believe, can understand the problems and the prospects of higher education for Negroes in America only in a rather complex and, at times, confusing context — a context which includes an awareness of the nature of the past; a context including an awareness of the stages in the development and functions and the products of Negro colleges during this past century; and a context which in-

\* Dr. Clark delivered his address from notes. The address was recorded by a stenotypist and was edited for publication by the Journal Editorial Committee.





cludes an awareness and tough-minded appraisal of the present role and function of Negro colleges. And I add to that — the present symbolic significance of Negro colleges, but a critically important component of the context within which we must attempt to understand the problems and prospects of higher education for Negroes in America, is in terms of the nature, the organization, the adequacy, the function, the goals and the effects of higher education in America as a whole.

From my confused perspective of this problem, it seems to me profoundly ironic that the destiny of Negroes in higher education in America, the future and the destiny of the predominantly Negro colleges, will be determined not by anything that is strong or weak about Negro colleges themselves, but will be determined by the quality, the substance and the integrity of predominantly white colleges and universities in America.

But let us take a brief look at the past. And we need only spend a brief time in discussing the past of Negro colleges.

Aside from a sprinkling of students, in a few interracial colleges, such as Oberlin, Berea, and Harvard, the bulk of educated Negroes in the nineteenth and the early part of the twentieth centuries were educated in predominantly Negro colleges, such as Howard University, Fisk, Lincoln, Johnson C. Smith — to mention a few. These colleges, in deed and in fact, provided the nucleus for a growing middle class. These colleges did, in fact, set standards and raised the aspiration of Negroes for unqualified dignity, that is dignity and equality as American citizens.

We could sum up the past by saying

that it is there to stay; that, in spite of many and complex problems, the early history of Negro colleges can be adequately characterized as essentially successful in fulfilling their roles, their goal, their function; namely, that of preparing a critical nucleus of Negroes for functioning as an effective, demanding, seemingly insatiable middle class. This goal seemed to me to have been quite adequately and successfully performed by Negro colleges in the nineteenth century and the first three or four decades of the twentieth. In fact, one could almost say of the Negro colleges as one now finds it fashionable to say of the Civil Rights Movement, particularly the NAACP and the Urban League, that they too, seem to be suffering from their own success. But the success was not in a void, even in the first part of the hundred years of existence of our colleges — the success was contaminated by the default of the success of the equality for the Negro as reflected as early as the compromise of 1876. It was contaminated, at first, by creeping segregation, and then accelerated by the development and extension of racial segregation and particularly the development of a total biracialism of education dominating American society. The intensification of segregation of American education seemed to have obtained its high price and chief exponent in the eloquent acceptance of race as a viable form of American education by Booker T. Washington and his followers, and this dominated the style and the pattern of American higher education for Negroes in spite of the persistent opposition of a Du Bois.

With the recognized victory of Booker T. Washington's clearly articulated philosophy readily accepted by governmental,



industrial, and financial leaders of America, the original role and function of Negro colleges shifted, although the fact was not initially perceived, from that of preparing Negroes to enter into a single standard, non-segregated society to that of connotizing and embalming segregation as a part of American education.

The Negro colleges became symbols of American racism. They became testaments of the society's commitment to excluding Negroes from any meaningful role in the society as a whole. They slowly, but surely, became mockeries; their role as educational institutions became seriously compromised, and they reflected the contamination and moral erosion and emptiness of white colleges and universities in an America that presented itself before the world as a democratic society.

I repeat: This process was not initially perceptible. Many Negro colleges struggled desperately to maintain a relevant educational and social role through the first four decades of the twentieth century. Indeed, there is a great deal of evidence that in spite of the increasing severity of the problems, in spite of obvious and flagrant handicaps, some Negro colleges and universities appear to have reached a pinnacle of educational relevance during the twenties and the thirties.

If one may use Howard University as an example, the 1930s and the early 1940s seem to have been a period of almost Athenian greatness for this university. This was the period when the faculty of Howard University was dominated by such giants as Alain Locke, E. Franklin Frazier, Abram Harris, Benjamin Brawley, Ernest Just, Francis C. Sumner,

Charles Houston, Ralph Bunche, Sterling Brown — and I have not exhausted the list.

These men could be found at Howard University because white colleges and universities, such as Yale, Harvard, Columbia, Princeton, the University of California, were so stricken by the virulence of American racism that intelligence in a brown skin was not deemed acceptable to their style. These men helped their students face the realities of race in America. They taught us, with clarity and eloquence, the essential and inherent humanization of American racism. They protested; they infected their students with an unquenchable spirit of rebellion and protest. They made clear to us the essential perversion and destruction of human values inherent in American racism. They dissected the hypocrisy of the verbal promises of democracy and the perpetuation and intensification of racism in American society.

Without doubt, the seeds of the recent stages of the Civil Rights Movement were sown and nurtured in the fertile soil of the climate of protest generated and sustained in Negro colleges — the twenties, the thirties, and the forties. This fact is all the more stark by the absence of any genuine concern about these human educational and moral problems on the part of prestigious, affluent white colleges and universities during that period, and continuing into the present.

Our great academically revered American universities and colleges have remained eloquently silent on obvious and elementary issues of social and racial justice in America and have contributed significantly to the development of armaments or scientific techniques for the





manipulation of man, for the destruction of man, but, I repeat, have remained eloquently silent while the burden of sowing the seeds of torment and rebellion against injustice had to be borne by Negro colleges. It became almost a hallmark of a prestigious institution of higher education — that their faculty or students not be contaminated with the unfinished business of American democracy.

It is, also, significant that the present ferment among American college students — a minority, to be sure — that their insistence upon being heard on matters of conscience, social values, and moral relevance; and that this insistence on a small but significant proportion of American college students, whose significance cannot be obscured by ridicule or name-calling, or pointing to the way they dress, or grow beards, or do not grow beards — but this insistence upon moral relevance was sparked by the direct action, non-violent witness against racial injustice, which was started in predominantly Negro colleges.

This latest development is ironic in view of the fact that these students who moved a critical minority of American college students, from the panty raid, telephone booth stuffing level of demonstrating the value of American education, to protests, to concern for truth, to the insistence that their colleges and universities prepare them to cope with the moral complexities; that this phenomenon came out of academically inferior Negro colleges. These are "inferior" colleges, if the standards of words are measured entirely in terms of College Board scores. The students at the North Carolina Agricultural and Technical College (Greensboro), who defied institutionalized in-

equalities, had low College Board scores. They were "inferior" if the worth and value of American education is to be determined by the average Graduate Record Examination scores. These students and their institution were "inferior," if we were to measure the nature and the quality of education by the type of reading comprehension which is measured on multiple choice tests.

What about our present? What are the present prospects? What is the present condition of predominantly Negro schools?

Negro colleges and universities are academically inferior. They are academically inferior because they reflect the cumulative inferiority of segregated education and the inevitable pathology of a racist-segregated society which inflicts upon lower-status human beings a debilitating, humanly-destructive form of public education, both in the South and in the North.

Predominantly Negro colleges and universities are inferior because our society persists in not finding the commitment or the resources to provide high-quality education for powerless Negro children. Predominantly Negro colleges are inferior because associated with this rejection, exclusion, and dehumanization of racism is the inevitable lowering of morale in any racially-segregated, lower-status institution. Segregated institutions in contemporary America present, for all individuals associated with them, crises in self-respect, nagging and gnawing feelings of inferiority, or deep and disturbing questions related to self-hatred. Any human being segregated, rejected, and excluded by a society begins to doubt his own worth and seems





unable to function with total effectiveness as a human being.

Negro colleges and universities in contemporary America are inferior because they are symbols of the continued rejection and exclusion of Negroes, and, also, because they have persisted in imitating, aping, white colleges and universities, which are the source of inferiority in American education.

White American colleges and universities are inferior institutions in American racist society. They are inferior institutions because they are contaminated by the pervasive American disease of racism. But this general indictment of the inferiority of America's prestigious white colleges and universities should not remain general. This indictment can be sustained by specific charges.

In a recent piece in *The American Scholar*, I tried to be specific in my indictment of the profound and insidious inferiority of American white colleges and universities. I beg your indulgence as I summarize some of those points.

Our great, powerful, and wealthy institutions of higher learning in America have watched silently and facilitated the process whereby education, from the primary grades on, has become ruthlessly competitive and anxiety-producing; in which the possibility of empathy, concern for one's fellow man, one's classmate, and the use of superior intelligence as a social trust are precluded from the educational process, as our children are required to learn — by their experience in the classroom, by the demands of their teachers, and the insistence of their parents — that education is synonymous with competition, and that intelligence is a device

to obtain superior status and economic advantage over others.

White American colleges and universities are inferior because under the guise of efficiency, the demands of mass education and the pressure of limited facilities in colleges, they have facilitated the reduction of the educational process to a level of content retention required for the necessary scores on College Boards, and Graduate Record Examinations, at the cost of any reflective and critical thought.

White colleges and universities in America are inferior because they have permitted our elementary and secondary schools to become contaminated by and organized in terms of the educationally irrelevant factors of race and economic status. They are inferior because they have watched without sustained protest the erosion of the quality of education provided for minority group children and other lower-status children — an erosion which has now reached the point of criminal inefficiency and dehumanization.

White colleges and universities in contemporary America are inferior because they have watched in silence the creeping blight of our cities and the spawning of Negro ghettos, concerned only when the pathologies associated with the ghetto come close to the walls of the university. Only then do they seek to protect themselves, sometimes, through a ruthless and callous dispossessing of the unwanted, lower-status peoples. They have abdicated any sustained, forthright, moral leadership in America's attempt to rethink the anguish of its pervasive racial problem.

Leadership in the civil rights struggle has come from inferior Negro colleges and



universities, from civil rights organizations, from the Federal courts; and, more recently, from the executive and legislative branches of the Federal and some state governments; from the Catholic, Protestant, and Jewish churches and synagogues.

Despite the commitment of some of their faculty, American colleges and universities, predominantly white, wealthy, academically strong, have, as institutions, remained detached and non-relevant to this major domestic issue of our times. Indeed, colleges and universities are major bastions of a subtle and persistent form of white supremacy.

In summary, the major charge that must now be made against American colleges and universities, predominantly white and powerful, is that they have not fulfilled their responsibility and obligation to develop and train human beings with a morally relevant and socially responsible intelligence. They have operated as if it were possible for a detached, amoral intelligence to be adaptive. They have not provided their students with the moral guidelines essential for the effective, creative, and adaptive use of superior intelligence. They have not provided their faculties with the stimulation or protection for a socially responsible use of their own critical intelligence. And, above all, they have not provided the moral leadership for society. They have not alerted the public to the urgency of finding moral and democratic solutions to critical domestic and international problems.

Therefore, the recent criticism of Negro colleges by Jencks and Riesman in the *Harvard Educational Review* (Winter 1967) must be rejected because it is incomplete. They left out of their com-

mentary the most important fact; namely, that Harvard, Yale, Princeton, Columbia, The University of California, have failed the American people more desperately, dangerously, and insidiously than their pointing to the failure of Negro colleges. They have failed to make clear that a racially-qualified educational institution is inherently an inferior institution — whether that qualification is Negro, or whether it is white.

Jencks and Riesman have compounded the chaos and the confusion in any reasonable and racial discussion of the crisis of American education by failing to make clear, in their long and detailed article, that the purpose of education in general, but particularly in a contemporary world, is to free man of irrational fears and hatreds, to free the human mind of petty and provincial constrictions.

Race is a major perpetuant of irrational fears and hatreds. Race distorts human vision. Racism blocks the capacity of human intelligence to function effectively.

America's white colleges and universities, I repeat, have failed and defaulted in the role of trying to prepare the American public to live in a world of reality in the latter part of the twentieth century.

There have been some recent tokens toward democracy and some evidence on the part of some of the colleges and universities to obscure or disguise the symptoms of racism which dominate them. It is now fashionable for Northern colleges and universities, including my own — the City College of the City University of New York — to solicit, quite actively, prepared Negro students. The academically successful Negro student now seems





to be more sought after by white colleges and universities than the potential all-American football player. Many of these colleges, in developing compensatory programs for a few Negro students who have been damaged by criminally inferior elementary and secondary education, now make it quite clear that they are willing to appoint a few well-prepared Negroes to their faculties.

These are positive developments, but they cannot obscure the basic fact that American institutions of higher learning are racially contaminated, and, therefore, cannot be effective and healthy educational institutions. This is my criticism of the Jencks and Riesman article.

But candor requires that I add that I cannot share the same premises of criticism of my good friends, Stephen Wright and Benjamin Mays, in their objections to the Jencks and Riesman article.

President Mays is quoted as saying, "There are about 400 white colleges that are so poor they aren't rated by any of the six accrediting boards. And," he continues, "the worst of the 33 United Negro College Fund members is better than the best of the 400 unaccredited white colleges."

I cannot accept this as being in any way relevant to a serious discussion of the racial crisis in American education today. I object to this approach, on the part of my good friend President Mays, with the same degree of intensity with which I reject the Jencks and Riesman article, because both accept the present spurious reality that race is at all relevant to the educational process.

Attempts to meet the Jencks-Riesman criticism by pointing to the fact that

there are some good Negro colleges, and there are some poor white colleges, I repeat, accepts racism as being not at all relevant. It unthinkingly accepts the anachronism of qualifying educational institutions in terms of the educationally irrelevant factor of race. This can happen only in a society that is desperately sick of racism.

My personal reply to Jencks and Riesman would be: "Yes, Negro colleges are inferior academically, because white colleges are even more insidiously inferior morally." I repeat: "Negro colleges are inferior academically because white colleges and universities are deeply, insidiously inferior morally."

But, America is not now mature enough to develop a truly democratic educational system. The experience, since May 17, 1954; the mockeries of evasion, tokenism, the spreading of segregation in the North — all of these have convinced me that America is suffering from a serious form of moral dry rot, and is willing to sacrifice children for an alternate racism if their skin is brown or black. I see this in my own state, I see it in privileged suburbs, I see it in communities in which the products of predominantly white schools, who call themselves "liberal," nonetheless, find sophisticated devices for refusing to make the basic educational reorganizational changes which must be made if America is to be freed of the affliction of racism which dominates our schools and our society.

I believe, therefore, that we can no longer wait for America to become morally mature or ethically concerned with what happens to Negro youngsters. We can no longer continue to sacrifice generation after generation of Negro young-





sters in the elementary and secondary schools or at the college level by saying that we must have non-segregation before these youngsters will be given the equipment to compete, and, hopefully, to contribute to a more mature America. We provide in the existing segregated institutions the best possible education for our children. We cannot play games with our youngsters. We must recognize that they come to us poorly prepared to deal with academic subjects, because they come from inferior elementary and secondary schools. We can no longer afford to imitate white colleges and universities by saying that our children can be prepared to cope with other college students after four years. We may have to extend college for whatever time it requires to provide our youngsters with the academic

skills and the moral strength to cope with a morally defective America.

I will not go through a specific program. There are a number of people who have been thinking about the type of solid educational program which is essential for preparing our youngsters in spite of the anachronism of racially qualified educational institutions — preparing the eighty per cent or more, which will continue to be required to go to predominantly Negro schools — preparing them with the top hard academic skills required to help this country become worthy of its words.

I conclude by the observation which is, I think, the instance of irony: It may very well become the task of the inferior, predominantly Negro school to save the soul of this society.



tious circumstances" that are outside the range of individual human choice or control: the social, cultural, and economic forces, the accidents of the environment, that help along the educational careers of some youngsters and cut short the careers of others. The purpose of student recruitment in its best sense is to minimize this second kind of selection so as to close the educational gap between the have's and the have-not's.

That a serious educational gap between whites and Negroes still exists is hardly a matter that needs rehearsing. If you are between the ages of 18 and 24, for instance, your chances of being in college or a professional school are twice as great if you are a white than if you are a Negro.<sup>11</sup> If you are a white adult, the chances are 50-50 that you have finished high school; if you are a Negro adult the chances are three-to-one that you have *not* finished high school.<sup>12</sup> If you are a young man coming up against the Armed Forces Qualification Test — a test that measures the basic skills you were supposed to have been taught in school — your chances of passing are 85 per cent if you are white, only 36 per cent if you are black.<sup>13</sup>

There is pretty general agreement that disparities like these are the result of remediable flaws in our educational and social processes, and of course it is at

just these flaws that the recent education acts and the poverty programs have been aimed. But with all the money and the best will in the world the task of closing the gaps is not going to be easy. A very considerable part of the difficulty of effecting change rests in the deeply ingrained beliefs many people still have about the mental development of children. The myth of the IQ and the immutability of human intelligence is still a powerful determinant in the ways children are taught, counseled, and classified.<sup>14</sup> Those who have abandoned this myth tend to come under the spell of another, namely, that the learning experiences a child has before the age of eight are so profound in their effect that his mental growth pattern from then on is essentially unchangeable. There is good reason to think that a child's early learning experiences *do* have a strong influence on his later development,<sup>15</sup> but there is no real evidence that under appropriate instruction at least a good part of the early deficits cannot be made up. Project Head Start is all to the good for preschool children, but we cannot afford to wait ten years for the graduates of Head Start to become candidates for college, for to do so would be to neglect some eight million disadvantaged children who were born too soon to get the benefit of the program. These are the six million white children and two million nonwhite children between grades two and twelve who come from urban and rural homes

<sup>11</sup> Edwin D. Goldfield, *Statistical Abstract of the United States, 1966* (Washington, D. C.: Bureau of the Census, U.S. Government Printing Office, 1966), Tables 5 and 149.

<sup>12</sup> *Ibid.*, Table 155.

<sup>13</sup> Bernard D. Karpinos, *The Mental Qualifications of American Youths for Military Service and Its Relationship to Educational Attainment*. Proceedings of the Social Statistics Section of the American Statistical Association, 1966.

<sup>14</sup> For example, see: Orville G. Brim, Jr., et al., *The Use of Standardized Ability Tests in American Secondary Schools and Their Impact on Students, Teachers, and Administrators* (New York: Russell Sage Foundation, 1965), pp. 134 and 192-194.

<sup>15</sup> For example, Benjamin S. Bloom, *Stability and Change in Human Characteristics* (New York: John Wiley & Sons, 1964).





# A Negro Psychiatrist

## Explains the Negro Psyche

By ALVIN F. POUSSAINT

ALVIN F. POUSSAINT, M.D., formerly Southern field director of the Medical Committee for Human Rights in Jackson, Miss., is now assistant professor of psychiatry at the Tufts University Medical School.

**I**N recent years social scientists have come to attribute many of the Negro's social and psychological ills to his self-hatred and resultant self-destructive impulses. Slums, high crime rates, alcoholism, drug addiction, illegitimacy and other social deviations have all been attributed in part to the Negroes' acting out of their feelings of inferiority. Many behavioral scientists have suggested that the recent urban Negro riots are a manifestation of subconscious self-destructive forces in black people stemming from this chronic feeling

of self-denigration. Noted psychologist Dr. Kenneth B. Clark has even speculated that these riots are a form of "community suicide" that expresses the ultimate in self-negation, self-rejection and hopelessness.

Given the self-hatred thesis, it is not surprising that many people, both white and Negro, champion programs intended to generate a positive self-image in the Negro "masses" as a panacea for all black social problems: "Teach Negro history and our African heritage in the schools so those cats won't be ashamed of being black!" A Negro friend says, "Help those boys develop pride in being black and the riots will stop."

The self-hatred thesis appeals on the one hand to racists, who reason that if Negroes develop enough "self-love" they might wish to remain complacently segregated and stop trying to "mongrelize" the white society, and on the other to Negro militants, including the Black Muslims and Black Power advocates, who scream from soapboxes, "We must undo the centuries-old brainwashing by the white man that has made us hate ourselves. We must stop being ashamed of being black and stop wanting to be white!" There is also talk of building a Negro subculture based on "a positive sense of identity." Some militant Negroes seek to

boost their self-esteem by legitimizing being black. Last year after a sit-in demonstration in Mississippi, a Negro civil-rights worker said to me: "White racism has made me hate white people and hate myself and my

brothers. I ain't about to stop hating white folks, but I'm not gonna let that self-hatred stuff mess me up any more!"

**N**O one denies that many Negroes have feelings of self-hatred. But the limitations of the thesis become apparent when one realizes that a Negro with all the self-love and self-confidence in the world could not express it in a system that is so brutally and unstintingly suppressive of self-assertion. Through systematic oppression aimed at extinguishing his aggressive drive, the black American has been effectively castrated and rendered abjectly compliant by white America. Since appropriate rage at such emasculation could be expressed directly only at great risk, the Negro repressed and suppressed it, but only at great cost to his psychic development. Today this "aggression-rage" constellation, rather than self-hatred, appears to be at the core of the Negro's social and psychological difficulties.

Consider the following. Once last year as I was leaving my office in Jackson, Miss., with my Negro secretary, a white policeman yelled, "Hey, boy! Come here!" Somewhat bothered, I retorted: "I'm no boy!" He then rushed at me, inflamed, and stood towering over me, snorting, "What d'ja say, boy?" Quickly he frisked me and demanded, "What's your name, boy?" Frightened, I replied, "Dr. Poussaint. I'm a physician." He angrily chuckled and hissed, "What's your first name, boy?" When

I hesitated he assumed a threatening stance and clenched his fists. As my heart palpitated, I muttered in profound humiliation, "Alvin."

He continued his psychological brutality, bellowing, "Alvin, the next time I call you, you come right away, you hear? You hear?" I hesitated. "You hear me, boy?" My voice trembling with helplessness, but following my instincts of self-preservation, I murmured, "Yes, sir." Now fully satisfied that I had performed and acquiesced to my "boy status," he dismissed me with, "Now, boy, go on and get out of here or next time we'll take you for a little ride down to the station house!"

No amount of self-love could have salvaged my pride or preserved my integrity. In fact, the slightest show of self-respect or resistance might have cost me my life. For the moment my manhood had been ripped from me—and in the presence of a Negro woman for whom I, a "man," was supposed to be the "protector." In addition, this had occurred on a public street for all the local black people to witness, reminding them that no black man was as good as any white man. All of us—doctor, lawyer, postman, field hand and shoe-shine boy—had been psychologically "put in our place."

The self-hate that I felt at that time was generated by the fact that I and my people were completely helpless and powerless to destroy that white bigot and all that he represented. Suppose I had decided, as a man should, to be forceful? What crippling price would I have paid for a few moments of assertive manhood? What was I to do with my rage?

And if I, a physician in middle-class dress, was vulnerable to this treatment, imagine the brutality to which "ordinary" black people are subjected—not only in the South but also in the North, where the brutality is likely to be more psychological than physical.

**L**ET us briefly look at the genesis and initial consequences of this oppressive behavior and the Negroes' responses to it. The castration of Negroes, and the resulting problems of self-image and inner rage, started





more than 350 years ago when black men, women and children were wrenched from their native Africa, stripped bare both psychologically and physically, and placed in an alien white land. They thus came to occupy the most degraded of human conditions: that of a slave, a piece of property, a nonperson. Families were broken up, the Negro male was completely emasculated, and the Negro woman was systematically sexually exploited and vilely degraded.

Whites, to escape the resultant retaliatory rage of black men and women, acted to block its expression. The plantation system implanted a subservience and dependency in the psyche of the Negro that made him dependent upon the goodwill and paternalism of the white man. The more acquiescent he was, the more he was rewarded within the plantation culture. Those who bowed and scraped for the white boss and denied their aggressive feelings were promoted to "house nigger" and "good nigger."

It became a virtue within this system for the black man to be docile and nonassertive. "Uncle Toms" are exemplars of these conditioned virtues. If black people wanted to keep some semblance of a job and a full stomach to survive, they quickly learned "Yassuh, Massa." Passivity for Negroes became necessary for survival both during and after slavery, and holds true even today.

**F**OR reinforcement, as if any was needed, white supremacists constructed an entire "racial etiquette" to remind Negroes constantly that they are only castrated humans. In their daily lives, Negroes are called "girl" and "boy"—this in spite of the fact that such "girls" and "boys" as domestics are capable of managing a household with an efficiency and physical endurance that their white middle-class employers seem no longer to possess. Negroes are also addressed by their first names by whites no matter how lowly, but are in turn expected to use courtesy titles when addressing whites. It was sickening for me to hear a Southern white dime-store clerk address a Negro minister with a doctoral degree as "Jimmy," while he obsequiously called her "Miss Joan." If the Negro minister rejected these social mores he would probably be harassed, punished or in some way "disciplined." White racists through the centuries have perpetrated violence on Negroes who demonstrate aggressiveness. To be an "uppity nigger" was considered by white supremacists one of the gravest violations of racial etiquette.

Nonetheless, the passivity to which

the black community has been so well conditioned is frequently called apathy and self-hate by those who would lay the burden of white racism on the black man's shoulders. The more reasonable explanation is that Negroes had little choice but to bear the severe psychological burden of suppressing and repressing their rage and aggression.

**N**ONASSERTIVENESS was a learned adaptation to insure survival. For example, the whole system of Southern legal justice has been designed—and still functions—to inflict severe and inequitable penalties on Negroes showing even minor aggression toward whites. In both the North and the South, Negroes who dare show their anger toward whites are usually punished out of proportion. Negroes who are "too outspoken" about racial injustices often lose their jobs or are not promoted to higher positions because they are considered "unreasonable." The recent unseating of Congressman Adam Clayton Powell and the use of guns and bullets by police and National Guardsmen on rioting Negro college students (white college-age rioters are seldom even tear-gassed) are examples of this inequitable white retaliation.

Black people have learned their lesson well. Both in the North and in the South it is not uncommon to hear young Negro mothers instructing their 2- and 3-year-old children to "behave, and say, 'Yes, sir,' and 'No, sir' when the white man talks to you."

Similarly, various forms of religious worship in the Negro community have fostered passivity in blacks and encouraged them to look to an after-life for eventual salvation and happiness. Negroes have even been taught that they must love their oppressor and it is "sinful" to hate or show appropriate anger. It is significant that the civil-rights movement had to adopt passive-resistance and non-violence in order to win the acceptance of white America. But, alas, even in nonviolent demonstrations there was too much "aggression" shown by Negroes. Whites recoiled and accused civil-rights groups of "provoking violence" by peaceful protest.

**T**HE lack of self-assertion has had devastating consequences in terms of Negro social behavior and psychic responses. It has been found for instance that Negroes are less likely to go into business than are members of other ethnic groups. The most obvious explanation for this (and one missed by Glazer and Moynihan in

their "Beyond the Melting Pot") is that central to the entrepreneurial spirit is assertiveness, self-confidence and the willingness to risk failure in an innovative venture. A castrated human being is not likely to be inclined in any of these ways.

A trained incapacity to be aggressive would also account in large part for Negroes' below-par achievement in school. Negro girls, who are not as threatening to whites and therefore not as systematically crushed as are Negro boys, have been found to exceed boys in achievement in elementary schools. The pattern of behavior set for the young Negro, especially the male, is directly opposed to that upheld as masculine for the rest of American youth. With our country's emphasis on individualism and the idealization of the self-made man, brutalization into passivity leaves the Negro with a major handicap.

Of course, this is also conveniently protective for the white racist, because Negroes who are nonassertive will be afraid to compete with him for education, jobs and status. Studies have reported that even when Negroes are given objective evidence of their equal intellectual ability they continue to feel inadequate and react submissively. Thus their low aspirations may be due primarily to a learned inability to be normally aggressive and only secondarily to an inferiority complex.

Many psychiatrists feel that self-denigration is secondary to the more general castration of the black man by white society. Some believe that the self-hatred should be viewed as a rage turned inward rather than as a shame in being black and a desire to be white. Both my white and Negro colleagues agree that central to whatever specific emotional problems their Negro patients exhibit is how they deal with their feelings of hostility and rage. (This problem is particularly relevant to their behavior in the presence of whites.)

Of course, Negroes react and adapt to the stresses of white racism in a myriad of ways depending upon socioeconomic level, family life, geographical location, etc. Yet the fact remains that Negroes as individuals must deal with the general effects of racism. Since individual Negroes share the common experiences of Negro castration, rage and self-hatred, group trends can frequently be discerned.

**W**HAT happens then to the accumulated rage in the depths of each Negro psyche? What does the black man do with his aggression?

The simplest method for dealing with rage is to suppress it and sub-





stitute an opposing emotional attitude—compliance, docility or a “loving attitude.” A colleague told me about the case of a Negro graduate student he was treating for anxiety. The student was engaged to a white girl and circulated primarily in white social circles. He had a reputation for being very ingratiating and accommodating with his white friends, who described him as a “sweet guy” and a “very loving person.” The student took a great deal of pride in this reputation and “acceptance” by whites, although he frequently encountered degrading racial prejudices among them. He attempted to deal with bigoted whites by being “understanding” and hoping that they would begin to see him as “just another human being.”

At the beginning of treatment, he painted a rosy picture of his social life and particularly of his engagement to the white girl, although her parents had disowned her. He consistently denied holding any angry feelings toward whites or bitter feelings about being Negro. As therapy progressed and his problems were explored, more and more anger toward whites in general and toward his white friends in particular began to emerge. He became less tolerant of the subtle racial bigotry which he saw in his fiancée and began to quarrel with her frequently. For many weeks he became so overwhelmed by rage that he developed nausea and could not face his white friends for “fear of what I might do.” He also became quite guilty about his acquiescence to white racial prejudice and slowly recognized that perhaps he himself had anti-Negro feelings. He began to avoid seeing his fiancée, feeling completely alienated from white people. The engagement was finally broken. The student left treatment to take a job in another city and shortly thereafter it was reported to his therapist that he had become a “black nationalist.”

As this student exemplified, the greater the repressed rage, the more abject the pretense of love and compliance. Thus feet-shuffling, scraping and bowing, obsequiousness and Uncle Tomism may actually indicate inner rage and deep hatred.

Sometimes rage can be denied completely and replaced by a compensatory happy-go-lucky attitude, flippancy or—a mechanism extremely popular among Negroes—“being cool.”

Or the aggression may be channeled into competitive sports, music, dance. Witness the numbers of Negroes who flock to these activities, among the few traditionally open to them by white society. Negro males

in particular gravitate to sports as a means for sublimating their rage and aggression.

Another legitimate means of channeling rage is to identify with the oppressor and put all one's energy into striving to be like him. The most obvious example of this is the Negro who feels that the most flattering compliment his white friends can pay him is, “You don't act like all the other Negroes,” or “You don't seem Negro to me.” Such blacks usually harbor strong, angry anti-Negro feelings similar to the white racists. They may project their own self-hatred onto other Negroes. This mechanism is indicated in the high incidence of impulsive violence of Negroes toward each other: assaults and homicides by Negroes are more often against Negroes than against whites.

It is also legitimate and safe for the oppressed to identify with someone like himself who for one reason or another is free to express rage directly at the oppressor. This phenomenon would account for the immense popularity among Negroes of Congressman Adam Clayton Powell and Malcolm X. They were both willing to “tell the white man like it is” and did so, for a while at least, with apparent impunity—something which many of their followers could never do.

Another technique for dealing with rage is to replace it with a type of chronic resentment and stubbornness toward white people—a chip on the shoulder. Trying to control deep anger in this way frequently shows itself in a general irritability and it always has the potential of becoming explosive. Thus the spreading wave of riots in Negro ghettos may be seen as outbursts of rage. Although these riots are contained in the ghetto, the hatred is usually directed at those whom the rioter sees as controlling and oppressing him economically, psychologically and physically—store owners and policemen.

**T**HE same hostility which is expressed in a disorganized way by a collection of people in a riot can be expressed in an organized way in a political movement. In this connection the Black Power movement is relevant.

In the South I observed many civil-rights workers struggling with suppressed rage toward whites until it culminated in the angry, assertive cry of “Black Power!” I remember treating Negro workers after they had been beaten viciously by white toughs or policemen while conducting civil-rights demonstrations. I would frequently comment, “You must feel pretty angry getting beaten up like that by those bigots.” Often

I received a reply such as: “No, I don't hate those white men, I love them because they must really be suffering with all that hatred in their souls. Dr. King says the only way we can win our freedom is through love. Anger and hatred has never solved anything.”

I used to sit there and wonder, “Now, what do they really do with their rage?”

Well, after a period of time it became apparent that they were directing it mostly at each other and the white civil-rights workers. Violent verbal and sometimes physical fights often occurred among the workers on the civil-rights projects throughout the South. While they were talking about being nonviolent and “loving” the sheriff that just hit them over the head, they rampaged around the

project houses beating up each other. I frequently had to calm Negro civil-rights workers with large doses of tranquilizers for what I can describe clinically only as acute attacks of rage.

As the months progressed and Negro workers became more conscious of their anger, it was more systematically directed toward white Southern racists, the lax Federal Government, token integration and finally the hypocrisy of many white liberals and white civil-rights workers. This rage was at a fever pitch for many months before it became crystallized in the “Black Power” slogan. The workers who shouted it the loudest were those with the oldest battle scars from the terror, demoralization and castration which they experienced through continual direct confrontation with Southern white racism. Furthermore, some of the most bellicose chanters of the slogan had been, just a few years before, exemplars of nonviolent, loving passive resistance in their struggle against white supremacy. These workers appeared to be seeking a sense of inner psychological emancipation from racism through self-assertion and release of aggressive, angry feelings.

Often the anxiety, fear and tension caused by suppressed emotion will be expressed in psychosomatic symptoms. Tension headaches, diarrhea and low back pain are conditions frequently linked to repressed hostility. Whether these symptoms occur more frequently among Negroes than among whites is an important question that has yet to be explored.

Rage is also directed inward in such deviations as alcoholism, drug addiction and excessive gambling. These escapist expressions are very prevalent among poorer Negroes and often represent an attempt to shut







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10/15

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Saturday Review —  
particularly in a  
paragraph I have  
marked on the  
last page.

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# THE FALSE IDEOLOGY OF SCHOOLING

by IVAN ILLICH

**D**uring the past decade, we have become used to seeing the world divided into two parts: the developed and the underdeveloped. People in the development business may prefer to speak of the developed nations and the less developed or developing nations. This terminology suggests that development is both good and inevitable. Others, especially protagonists of revolutionary change, speak of the Third World and wait for the day when the wretched of the earth will rise in armed revolt against the imperialist powers and shift control over existing institutions from north to south, from white to black, from metropolis to colony.

A vulgar example of the first assumption is the Rockefeller report on the Americas. Its doctrine has been aptly summed up by President Nixon: "This I pledge: The nation that went to the moon in peace for all mankind is ready to share its technology in peace with its nearest neighbors." The Governor, in turn, proposes that keeping the pledge might require a lot of additional weaponry in South America.

The Pearson report on partnership in development is a much more sophisticated example of the development mentality. It outlines policies that will permit a few more countries to join the charmed circle of the consumer nations, but that will actually increase the poverty of the poor in these same countries, because the strategies proposed will sell them ever more thoroughly on goods and services ever more expensive and out of their reach. The policy goals of most revolutionary movements and governments I know—and I do not know Mao's China—reflect another type of cynicism. Their leaders make futile promises that—once they are in power for a sufficient

length of time—more of everything the masses have learned to know and to crave as privileges of the rich will be produced and distributed. Both the purveyors of development and the preachers of revolution advocate more of the same. They define more education as more schooling, better health as more doctors, higher mobility as more high-speed vehicles. The goals of development are always and everywhere stated in terms of consumer-value packages standardized around the North Atlantic—and therefore always and everywhere imply more privileges for a few. Political reorganization cannot change this fact; it can only rationalize it. Different ideologies create different minorities of privileged consumers, but heart surgery or a university education is always priced out of range for all but a few, be they the rich, the orthodox, or the most fascinating subjects for experiments by surgeons or pedagogues.

Underdevelopment is the result of a state of mind common to both socialist and capitalist countries. Present development goals are neither desirable nor reasonable. Unfortunately, anti-imperialism is no antidote. Although exploitation of poor countries is an undeniable reality, current nationalism is merely the affirmation of the right of colonial elites to repeat history and follow the road traveled by the rich toward the universal consumption of internationally marketed packages, a road that can ultimately lead only to universal pollution and universal frustration.

The central issue of our time remains the fact that the rich are getting richer and the poor poorer. This hard fact is often obscured by another apparently contradictory fact. In the rich countries, the poor have access to a quantity and quality of commodities beyond the dreams of Louis XIV, while many of the so-called developing countries enjoy much higher economic growth rates than those of industrialized countries at a similar stage of their own histories. From icebox to toilet and from antibiotic to television, conveniences Washington could not have imagined at Mount Vernon are found necessary in Harlem, just as Bolivar could not have foreseen the

—Nancy Flowers (Bethel)

"More and more, men begin to believe that in the schooling game the poor gets only what he deserves."

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U.S. But rising levels neither of urban consumption in the rich countries nor of urban consumption in the poor countries can close the gap between rich and poor nations or between the rich and poor of any one nation. Modern poverty is a by-product of a world market catering to the ideologies of an industrial middle class. Modern poverty is built into an international community where demand is engineered through publicity to stimulate the production of standard commodities. In such a market, expectations are standardized and must always outrace marketable resources.

In the United States, for all its gargantuan prosperity, real poverty levels rise faster than the median income. In the capital-starved countries, median incomes move rapidly away from rising averages. Most goods now produced for rich and poor alike in the United States are beyond the reach of all but a few in other areas. In both rich and poor nations, consumption is polarized while expectation is equalized.

During the decade now beginning, we must learn a new language, a language that speaks not of development and underdevelopment but of true and false ideas about man, his needs, and his potential. Development programs all over the world progressively lead to violence, in the form either of repression or of rebellion. This is due to neither the evil intentions of capitalists nor the ideological rigidity of communists, but to the radical inability of men to tolerate the by-products of industrial and welfare institutions developed in the early industrial age. In the late Sixties, attention was suddenly drawn to the inability of man to survive his industry. During the late Sixties, it became evident that less than 10 per cent of the human race consumes more than 50 per cent of the world's resources and produces 90 per cent of the physical pollution that threatens to extinguish the biosphere. But this is only one aspect of the paradox of present development. During the early Seventies, it will become equally clear that welfare institutions have an analogous regressive effect. The international institutionalization of social service, medicine, and education generally identified with development has equally overwhelming, destructive by-products.

We need an alternative program, an alternative both to development and to merely political revolution. Let me call this alternative program either institutional or cultural revolution, because its aim is the transformation of both public and personal reality. The

prove existing institutions—their productivity and the quality and distribution of their products. His vision of what is desirable and possible is based on consumption habits developed during the past hundred years. The cultural revolutionary believes that these habits have radically distorted our view of what human beings can have and want. He questions the reality others take for granted, a reality that is, in his view, the artificial by-product of contemporary institutions, created and reinforced by them in pursuit of their short-term ends. The political revolutionary concentrates on schooling and tooling for the environment that the rich countries, socialist or capitalist, have engineered. The cultural revolutionary risks the future on the educability of man.

The cultural revolutionary must be distinguished from not only the political magician but also both the neo-Luddite and the promoter of intermediary technology. The former behaves as if either the noble savage could be restored to the throne or the Third World transformed into a reservation for him. He opposes the internal combustion engine rather than oppose its packaging into some product designed for exclusive use by the man who owns it. Thus, the Luddite blames the producer; the institutional revolutionary tries to reshape the design and distribution of the product. The Luddite blames the machine; the cultural revolutionary heightens awareness that it produces needless demands. The cultural revolutionary must also be distinguished from the promoter of intermediary technology who is often merely a superior tactician paving the road to totally manipulated consumption.

Let me illustrate what I mean by a cultural revolution within one major international institution, by taking as an example the institution that currently produces education. I mean, of course, obligatory schooling: full-time attendance of age-specific groups in a graded curriculum.

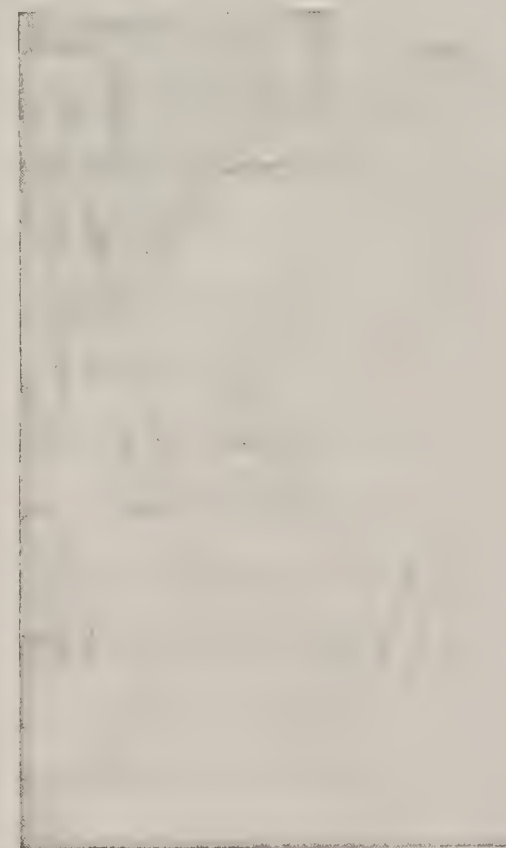
Latin America has decided to school itself into development. This decision results in the production of homemade inferiority. With every school that is built, another seed of institutional corruption is planted, and this is in the name of growth.

Schools affect individuals and characterize nations. Individuals merely get a bad deal; nations are irreversibly degraded when they build schools to help their citizens play at international competition. For the individual, school is always a gamble. The chances may be very slim, but everyone shoots for the same jackpot. Of course, as any professional gambler knows, it is the

who get hooked. And if the poor man manages to stay in the game for a while, he will feel the pain even more sharply when he does lose, as he almost inevitably must. Primary school dropouts in a Latin American city find it increasingly difficult to get an industrial job.

But no matter how high the odds, everyone plays the game, for there is, after all, only one game in town. A scholarship may be a long shot, but it is a chance to become equal to the world's best-trained bureaucrats. And the student who fails can console himself with the knowledge that the cards were stacked against him from the outset.

More and more, men begin to believe that in the schooling game the loser



—Nancy Flowers (Bethel)

**"The goals of development everywhere imply more privileges for a few."**

gets only what he deserves. The belief in the ability of schools to label people correctly is already so strong that people accept their vocational and marital fates with a gambler's resignation. In cities, this faith in school-slotting is on the way to sprouting a more creditable meritocracy—a state of mind in which each citizen believes that he deserves the place assigned to him by school. A perfect meritocracy, in which there would be no excuses, is not yet upon us, and I believe it can be avoided. It must be avoided, since a perfect meritocracy would not only be hellish, it would be hell.

Educators appeal to the gambling





instinct of the entire population when they raise money for schools. They advertise the jackpot without mentioning the odds. And those odds are high indeed for someone who is born brown, poor, or on the pampa. In Latin America, no country is prouder of its legally obligatory admission-free school system than Argentina. Yet, only one Argentinian of 5,000 born into the lower half of the population gets as far as the university.

What is only a wheel of fortune for an individual is a spinning wheel of irreversible underdevelopment for a nation. The high cost of schooling turns education into a scarce resource, as poor countries accept that a certain number of years in school makes an educated man. More money gets spent on fewer people. In poor countries, the school pyramid of the rich countries takes on the shape of an obelisk, or a rocket. School inevitably gives individuals who attend it and then drop out, as well as those who don't make it at all, a rationale for their own inferiority. But for poor nations, obligatory schooling is a monument to self-inflicted inferiority. To buy the schooling hoax is to purchase a ticket for the back seat in a bus headed nowhere.

Schooling encrusts the poorest nations at the bottom of the educational bucket. The school systems of Latin America are fossilized records of a dream begun a century ago. The school pyramid is abuilding from top to bottom throughout Latin America. All countries there spend more than 20 per cent of their national budgets and nearly 5 per cent of their Gross National Products on its construction. Teachers constitute the largest profession, and their children are frequently the largest group of students in the upper grades. Fundamental education either is redefined as the foundation

for schooling and therefore placed beyond the reach of the unschooled and the early dropout or it is defined as a remedy for the unschooled, which will only frustrate him into accepting inferiority. Even the poorest countries continue to spend disproportionate sums on graduate schools—gardens that ornament the penthouses of skyscrapers built in a slum.

Bolivia is well on the way to suicide by an overdose of schooling. This impoverished, landlocked country creates papier-mâché bridges to prosperity by spending more than a third of its entire budget on public education and half as much again on private schools. A full half of this educational mis-spending is consumed by 1 per cent of the school-age population. In Bolivia, the university student's share of public funds is a thousand times greater than that of his fellow citizen of median income. Most Bolivian people live outside the city, yet only 2 per cent of the rural population makes it to the fifth grade. This discrimination was legally sanctioned in 1967 by declaring grade school obligatory for all—a law that made most people criminal by fiat, and the rest immoral exploiters by decree. In 1970, the university entrance examinations were abolished with a flourish of egalitarian rhetoric. At first glance, it does seem a libertarian advance to legislate that all high school graduates have a right to enter the university—until you realize that fewer than 2 per cent of Bolivians finish high school.

Bolivia may be an extreme example of schooling in Latin America. But on an international scale, Bolivia is typical. Few African or Asian countries have attained the progress now taken for granted there.

Cuba is perhaps an example of the other extreme. Fidel Castro has tried to create a major cultural revolution. He has reshaped the academic pyr-

amid the Cuban people. There is no doubt that the redistribution of privilege, the redefinition of social goals, and the popular participation in the achievement of these goals have reached spectacular heights in Cuba since the Revolution. For the moment, however, Cuba is only showing that under exceptional political conditions the present school system can be expanded exceptionally. But there are built-in limits to the elasticity of present institutions, and Cuba is at the point of reaching them. The Cuban Revolution will work—within these limits. Which only means that Dr. Castro will have masterminded a faster road to a bourgeois meritocracy than those previously taken by capitalists or Bolsheviks. Sometimes, when he is not promising schools for all, Castro hints at a policy of de-schooling for all, and the Isle of Pines seems to be a laboratory for redistribution of educational functions to other social institutions. But unless Cuban educators admit that work-education effective in a rural economy can be even more effective in an urban one, Cuba's institutional revolution will not begin. No cultural revolution can be built on the denial of reality.

As long as communist Cuba continues to promise obligatory high school completion by the end of this decade, it is, in this regard, institutionally no more promising than fascist Brazil, which has made a similar promise. In both Brazil and Cuba, enough girls have already been born to double the number of potential mothers in the 1980s. Per capita resources available for education can hardly be expected to double in either country, and even if they could, no progress would have been made at all. In Brazil and in Cuba, waiting for Godot is equally futile. Without a radical change in their institutional goals, both "revolutions" must make fools of themselves. Unfortunately, both seem headed for manifest foolishness, albeit by different routes. The Cubans allow work, party, and community involvement to nibble away at the school year, and call this involvement radical education, while the Brazilians let U.S. experts peddle teaching devices that only raise the per capita cost of classroom attendance.

The production of inferiority through schooling is more evident in poor countries and perhaps more painful in rich countries. In the United States, the 10 per cent with the highest incomes can provide most of the education for their children through private institutions. Yet, they also succeed in obtaining ten times more of the public resources devoted to education than the poorest 10 per cent of the popula-

(Continued on page 68)

—Nancy Flowers (Bethel)

"In the shadow of each national school pyramid, an international caste system is wedded to an international class structure."





tion, Noam Chomsky, and Robert Merton. He has gone to the slums and ghettos and discovered vital seeds of hope among the barren rubble of crushed ideals. He has been profoundly influenced by Lawrence A. Cremin in framing and asking hard questions about purpose. He has learned that the school can and must be "a center of inquiry" in which all teachers are always students of teaching, in which our children and youth are never merely objects. For, as Silberman concludes this brave and powerful social inquiry:

... when schools become warm and humane, teachers grow as human beings as well as as teachers. The lesson is clear; Dewey stated it two-thirds of a century ago. What is needed, he wrote, "is improvement of education, not merely by turning out teachers who can do better the things that are necessary to do, but rather changing the conception of what constitutes education."

So educators should be told: Read *Crisis in the Classroom*. Do not contend with it. Do not tell Silberman that he should have written your book. Take your charts, which he has scanned with admiration and anguish, and rebuild the schools as only you are able to.

Legislators and their attendant bureaucrats must be told: Accept the study as the most generous and hopeful expression of the yet-to-be-realized American genius for education, and match it with a more mindful *paideia* than we now possess. Begin at last a lifetime of making this nation mirror its sacred trust. Much more than money is required. Politics must rejoin public purpose. It is once again social seedtime.

Foundation executives and their staffs must be told: Be more mindful in your civic generosity than you have been in the recent past. You hold in trust the most valuable of all venture capital. Use it more sparingly, spread it more widely, be more precise in your giving, more courageous in the face of its consequences. Use *Crisis in the Classroom* as a handbook in social enterprise.

Finally, the citizen-reader must be told: This book is commended to you most prayerfully. It is not a weapon to be used to terrorize the school board or the university. It is a thesaurus of creative questions which, by asking, you may help the schools in our Promethean task. As we teach one another, so will we liberate the teachers of our children to treasure the unique worth of every man, to diminish the value of no man, and to liberate the genius for life that is in all of us.

## False Ideology

Continued from page 58

tion. In Soviet Russia, a more puritanical belief in meritocracy makes the concentration of schooling privileges on the children of urban professionals even more painful.

In the shadow of each national school pyramid, an international caste system is wedded to an international class structure. Countries are ranged like castes, each of whose educational dignity is determined by the average years of schooling of its citizens. Individual citizens of all countries achieve a symbolic mobility through a class system that makes each man accept the place he believes he merits.

The political revolutionary strengthens the demand for schooling by futilely promising that under his administration more learning and increased earning will become available to all through more schooling. He contributes to the modernization of a world class structure and a modernization of poverty. It remains the task of the cultural revolutionary to overcome the delusions on which the support of school is based and to outline policies for the radical de-schooling of society.

The basic reason for all this is that schooling comes in quantities. Less than so much is no good, and the minimum quantity carries a minimum price. It is obvious that with schools of equal quality a poor child can never catch up with a rich one, nor a poor country with a rich country. It is equally obvious that poor children and poor countries never have equal schools, but always poorer ones; thus, they fall ever further behind, as long as they depend on schools for their education.

Another illusion is that most learning is a result of teaching. Teaching may contribute to certain kinds of learning under certain circumstances. The strongly motivated student faced with the task of learning a new code may benefit greatly from the discipline we now associate mostly with the old-fashioned schoolmaster. But most people acquire most of their insight, knowledge, and skill outside of school—and in school only insofar as school in a few rich countries becomes their place of confinement during an increasing part of their lives. The radical de-schooling of society begins, therefore, with the unmasking by cultural revolutionaries of the myth of schooling. It continues with the struggle to liberate other men's minds from the false ideology of schooling—an ideology that makes domestication by schooling inevitable. In its final and positive stage, it is the struggle for the right to educa-

tional freedom, economy, and efficiency.

A cultural revolutionary must fight for legal protection from the imposition of any obligatory graded curriculum. The first article of a bill of rights for a modern and humanist society should parallel the First Amendment of the United States Constitution. The state shall make no law with respect to an establishment of education. There shall be no graded curriculum, obligatory for all. To make this disestablishment effective, we need a law forbidding discrimination in hiring, voting, or admission to centers of learning based on previous attendance in some curriculum. This guarantee would not exclude specific tests of competence, but would remove the present absurd discrimination in favor of the person who learns a given skill with the largest expenditure of public funds.

A third legal reform would guarantee the right of each citizen to an equal share of public educational resources, the right to verify his share of these resources, and the right to sue for them if they are denied. A generalized GI bill, or an edu-credit card in the hand of every citizen, would effectively implement this third guarantee.



Abolition of obligatory schooling, abolition of job discrimination in favor of persons who have acquired their learning at a higher cost, plus establishment of edu-credit, would permit the development of a true market for educational services. According to present political ideology, this market could be influenced by various devices: premiums paid to those who acquire certain needed skills, interest-bearing edu-credit to increase the privileges of those who use it later in life, and advantages for industries that incorporate additional formal training into the work routine.

A fourth guarantee to protect the consumer against the monopoly of the educational market would be analogous to antitrust laws.

I have shown in the case of education that a cultural or institutional revolution depends upon the clarification of reality. Development as now conceived is just the contrary: management of the environment and the tooling of man to fit into it. Development is the attempt to create an environment and then educate at great cost to pay for it. Cultural revolution is a reviewing of the reality of man and a redefinition of the world in terms that support this reality.



MYLAT HOAX FINANCED BY STERN  
FAMILY FUND

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 2, 1970

Mr. RARICK. Mr. Speaker, an interesting feature article in a local newspaper over the weekend underlines the question of tax exemption for charitable foundations. Apparently only Americans who work for their money are expected to

The list of beneficiaries of this particular philanthropist reads like a roster of the dark left, with a few criminals and misunderstood subversives thrown in for good measure.

Of interest to patriotic Americans is the connection between Stern, the radical Institute for Policy Studies, a transparent attempt to whitewash the notorious J. Robert C. Hooper, and the financial support of Seymour Hersh to promote the Mylat massacre hoax.

Through the feature mentioned the source of Stern's wealth as his inheritance from his grandfather, Julius Rosenberg, and mentioned the charitable activities of selected members of his family. It failed to mention his relationship to the Stern who fled New York just as a scandal broke over an insurance indictment, and found a haven in Mexico.

I am sure my remarks, as follows:

[From the Washington (D.C.) Star Sunday  
Evening, Feb. 1, 1970]

BY PHILANTHROPIST

(Philip M. Stern)

Philip Stern, an heir to the Sears fortune, is "having a ball out of life," says a source to worthwhile Washington Post on the side, dabbling in silk-screening and flying things.)

Philip Stern, "is really having a ball out of life," says a source to worthwhile Washington Post on the side, dabbling in silk-screening and flying things.)

Now that Stern is unhappy about this. At 43, after one unremunerative career in politics and another in newspapering and in the middle of a modestly successful one as a crusading author, Stern exudes an air of satisfaction. "I'm having a ball out of life. I just learned to fly a biplane in the last year. I learned to silk-screen." All these activities are shared with his wife, Leni, and five children aged 7 to 18, who spill out of a

house with bright splashes of color on the walls—"which are likely to change at any moment"—and good modern furniture, including a gigantic swing in the middle of the living room. They get engrossed in silk-screening their own Christmas cards or studying Spanish for a trip to Mexico. And the art collection of modern masters has been carefully chosen by the Sterns, not an agent.

But the Philip M. Stern Family Fund is Stern's farthest-reaching plunge into the do-it-yourself realm. His grants, which are his way of effecting change in education, community service and culture, go to people who want to help themselves. Though small by Ford or Carnegie standards, with its endowment of \$832,000, the Stern Fund is behind almost every innovative and controversial project in Washington.

Col. Hassan Jera-Ahmed, who operates three centers for the methadone, a heroin substitute, estimates he is returning to normal life, got his Stern Fund.

The Rev. Tom Murphy, Church of the Pilgrims, to finance Runaway House, "bulletin board" via telephone). Georgetown Free Medical Clinic to Washington's hippie community.

Students at Eastern High, calling themselves the Modern Strivers, to start the school and other subjects not taught in the school. Joel Denker has set up, with Stern help, the New Educational Project, to make education relevant for white kids from the suburbs.

Julius Hobson's Washington Institute for Quality Education got a Stern grant for its study of D.C. schools.

And the Washington Theater Club, which received its first Stern grant four years ago, has grown in membership from 40 season subscribers to 9,200 and moved into a new theater.

In fiscal 1968, the year which figures are available, the foundation made 78 grants totaling \$174,000. It may not have been the most, but it was the most unorthodox in Washington that comes naturally to Stern, the generation in a line of philanthropic mavericks.

Stern inherited his fortune and the tradition of giving from his grandfather, Rosenwald, the Sears Roebuck whose fund built 5,000 schools in the South, and from his father, whose foundation Stern now follows their father's direction, the Stern Foundation. Stern served an apprenticeship on that board, then were given a lump sum to start their own. Stern's brother runs the Six Flags in New Orleans and his sister runs the Longview Foundation in New York.

None of Stern's careers was undertaken to make new family fortunes. In his role as author, to which he devotes four times as much time as to philanthropy, he has recently published *The Case of Oppenheimer*, which has been reviewed by reviewers about the book. He says it would be useful if more power was given to a guy. It had and what I did that system—on a





any other method

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at Western

school came

and our nation right away.

partly because they didn't know where to go." Since that initial grant to the Washington Gallery of Modern Art, who didn't know where to turn, the Modern Strivers have been featured in national magazines, praised by educators and given other grants by larger foundations.

Stern grants are more limited than those by the big foundations. Most are \$5,000 to \$10,000, with \$20,000 being huge, by Stern standards. For that reason, the foundation tries to spend its money where it will have the biggest impact. "We ask how big their total need is. If somebody's got a budget of a million dollars, they're not likely to get any money from us," Stern says, "because even if we gave them a huge grant—on our terms—it would be a spit in the ocean, and it wouldn't make a critical difference whether that project goes or doesn't go. I'd much rather give to something where we can make a critical difference as to whether something exists or not."

The potential success of the projects he finances matters to Stern. "One of the criteria you use when you make the grant is to ask what it is you'd like to see when you stand a year hence and look back. Is what we hope to accomplish (a) realizable and (b) important?"

But he is not frightened of failure, and in the end, the decision to back a project depends on the person proposing it. "A final criterion," Stern says, "is betting on people. When you get a hot person, someone who is clearly gifted, that's when you say we don't know whether it's going to work or not. That's when you begin to take your longest shots."

Neither is Stern embarrassed by failure. He tells of one young heroin addict who had kicked his habit and was going to District schools evangelizing against drugs. When he came to Stern for help he was put in touch with the Psychiatric Institute Foundation so that he could get money and training.

But, say Stern, "That was a long shot that didn't pay off. He fell off. But the way I feel is if you don't make some mistakes and have some failures, you're not really doing your job. That's the main rationale for foundations—to be the real risk-takers. The government can't do it politically, and corporations won't do it, so that's what foundations are all about."

Grants from the "senior fund," as Stern has nicknamed the national foundation set up by his father, often find their way into the Washington area also. The Washington Gallery of Modern Art got help from that foundation, thanks to the interest of Stern's wife, Leni, who with her husband has selected paintings by Frank Stella, Franz Kline, Joseph Albers and Sam Gilliam for their living room walls, is an artist in her own right. She served as chairman of the Gallery of Modern Art board through its merger with the Corcoran and transformation into the Dupont Center of that museum. Another Washington recipient of senior Stern funds is the radical research center, the Institute for Policy Studies, whose founders include Arthur Waskow and Marcus Raskin. Philip Stern serves as chairman of the trustees of that institution.

The Stern grant that made the biggest splash of 1969 was money given Stern's Herish to research reports of a massacre of Vietnamese civilians by soldiers at My Lai. Herish's research, aided by a special fund to promote investigative reporting, led to stories that shocked the nation and the world.

Despite his gratitude to his parents for

philanthropy in the lens, Stern is not involved in his own children's education. He has expressed much interest in his son becoming a philanthropist. "It's a difficult," Stern says, "for someone to grow up with a lot of money, and they're taking it now and they're not at all sure they want to be involved in that."

If they do, their father has some advice. "If they're going to do it seriously, and I must say I wouldn't recommend it to them if they weren't—they have to prepare to be bombarded by a lot of people who want things. They have to be comfortable about saying no. And it's not easy to come by. Believe me. It took me a long, long time to be comfortable about saying no to people, and particularly to friends. They will have to be prepared to spend a portion of their life living at this. And that's not every-

Ph. Stern's first love. He went to Washington under a new-defunct Fulbright internship program to give young men a look at the workings of the FBI. He stayed on as a congressional aide to Sen. Henry M. Jackson, when he was a congressman, and to Sen. Paul Douglas before Adlai Stevenson's presidential campaign in 1952. After the campaign he became research director for the Democratic Party. He left that post in 1958 to work for the *Northern Virginia Sun* with Clay-son, George Ball and Arnold Sag-ay. Except for contributions to the Democratic party, he has given up politics—politically, he says. "I always thought that I ought to take advantage of the financial means with which I was blessed," he explains, "and one of the main ways is to be independent—genuinely independent—and to say what I believe without being afraid of the consequences. I don't want to be irresponsible in what I say, but I don't want to worry about the conse-

years of giving money away, Stern developed a set of criteria for the kind of projects he favors. The decision to grant is not, however, his alone. He is restricted, first of all, to aiding Washington projects, because his foundation is chartered here. He is also restricted to projects approved by the foundation's six-member board, and a group less inclined to rubber-stamp could be found.

Board members, who serve without pay, are selected by Stern and approved by the board. Others on the board, besides Stern, his wife, Father Cino Baroni, an expert on civil rights and poverty causes; Mrs. Hayes, Washington's Sol Hurok; Mrs. Willie Hardy, a black community leader; and Richard Scammon, head of Election Research Center. "We chose people," Stern says, "that we thought would add to the work in the fields we were interested in and whose experience would add to the merits of the proposal and the people. A board member either knows the person who is bringing in the proposal or he's in a position to look into it in a way that I couldn't."

There should be a difference among the board members about a request, the matter decided simply and democratically with a vote. And to make things even less arbitrary, Stern and his assistant, Mrs. George Allen, who cull the preliminary requests, limit the applications they have turned down. That members have an opportunity to take a second look at a project.

Stern found out saying that the chief criterion to accomplish in his giving is "building," not "dock-building." "I like to find out if we are building a dock out into the middle of a pond so that when they get to the end of our grant they'll be in a position to build a dock, or if we have a chance of helping them build a dock from one piece of dry land to another piece, so that at the end of the grant they'll have some prospects of either being self-supporting or getting some other source of funds." It is the long-run future of the organization which is under consideration.

"We found," Stern says, "that we were object of what I call 'oxygen-tent' projects—that is, organizations that were not going under and were coming to us for help to be rescued from bankruptcy—in effect,

it does not mean that the Stern Fund is a sure bet. Stern says, "We tend to be the most favor on people or





ment Sunday, the credibility gap that has developed over the last 7 years continues to display itself on the national scene. Therefore, a book review by the distinguished Chicagoan, Robert Cromie, which covers the very timely work by Bruce Ladd, administrative assistant to Congressman DON RUMSFELD, of Illinois, is a very welcome and wholesome contribution to an understanding of Washington politics. The book review follows:

[From the Chicago (Ill.) Tribune,  
Mar. 28, 1968]

BOOK PROBES SECRECY, DECEIT IN  
GOVERNMENT

The sub-title of "Crisis in Credibility," by Bruce Ladd [New American Library, \$5.50], is a surprisingly frank announcement of what the book is about: "An Investigation into Secrecy and Deceit in the United States Government." The problem, Ladd believes, is no minor one. As he says in the opening paragraph to his chapter on "Closing the Gap," "Sooner or later the American people will have to face the fact that the ever-growing authority of the executive branch of the federal government will have to be checked, if the democratic dialogue is to be preserved." A case in point is the chapter on the Dominican crisis. In this, Ladd, former aid to Charles Percy during the latter's gubernatorial campaign and now special assistant to Rep. Donald Rumsfeld [R., Ill.], declares:

"... As more and more facts have come to light concerning the Dominican uprising, it has become indelibly clear that the United States government perpetuated three basic lies in the defense of its intervention."

These, Ladd says, were (1) that troops were sent in solely to protect the lives of American citizens; (2), that the United States remained neutral during the rebel-loyalist fight and, (3), that the revolution was "part of a Communist plot to gain control of the Dominican government."

Speaking of President Johnson's estimate of the situation, Ladd says: "When newsmen at the Dominican Republic heard Johnson's description . . . they thought he was talking about another conflict, maybe Viet Nam . . ."

Ladd deals with deception in many fields, including the war in Viet Nam, the Bay of Pigs incident, the U-2 affair, and the loss of the atom bomb near Palomares, Spain—a loss which the United States tried to hide for 44 days, and which led to the following ludicrous exchange during one press conference:

"REPORTER: 'Can you tell me whether you've located the missing bomb?'"  
"BRIEFING OFFICER: 'I don't know of any missing bomb, but we have not positively identified what I think you think we are looking for.'"

The former Illinois newspaperman [Ladd is editor of various small town papers] is especially concerned about Johnson's relations with the press, and concludes his long chapter on the subject:

"Until such time as Lyndon Johnson recognizes that being President of the United States demands honesty, candor, and a certain amount of grace, his hopes for America will be unfulfilled. The President's credibility can be restored only by the President himself."

This is a shocking book, which should be read by all concerned citizens. It documents an alarming degree the growing "credibility gap," the arrogance of many elected officials [and the military] toward the press, and the open attempts in Viet Nam to persuade war correspondents to "get on the ground" in order to try to stop unfavorable stories there.

The daily 5 o'clock briefings in Saigon, Ladd declares, are known among newsmen ending as "the five o'clock follies," and

are not depended upon by many of the more conscientious reporters.

The book, however, ends on a faintly optimistic note:

"In the last analysis, the solution for correcting the ills of democracy is more democracy. Those who say nothing can be done are clearly wrong."

### What Did Judge Wright Really Find?

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. FRASER. Mr. Speaker, there have been a great many misunderstandings about the implications of the Hobson against Hansen decision by Judge Skelly Wright affecting the District of Columbia school system. A local organization, District of Columbia Citizens for Better Public Education, has now published answers to the most frequently asked questions about the decision.

The explanations are clear and precise, and I insert them in the RECORD to eliminate the misunderstandings that have arisen out of Judge Wright's decision:

#### WHAT DID JUDGE WRIGHT REALLY FIND?

Judge Skelly Wright's opinion in *Hobson v. Hansen*, decided last June 19, has been a source of continuing controversy and misunderstanding in the District of Columbia. D.C. Citizens for Better Public Education has found that many residents of Washington—including some school administration officials—are not aware of the factual findings in the suit, and do not understand fully the remedies ordered by Judge Wright.

As a public service, CBPE is publishing several frequently asked questions about the decision, along with answers provided by our legal consultants. These answers have been unofficially reviewed and cleared by the District of Columbia Corporation Counsel.

Extra copies of these questions and answers can be picked up at our office. Full copies of the *Hobson v. Hansen* decision reprinted in the Congressional Record for June 21, 1967, beginning on page H7655, are available for sale at 36¢ a copy from the Superintendent of Documents, Government Printing Office.

1. Who were the plaintiffs and defendants in the Wright Decision?

The plaintiffs in the case were Julius Hobson, suing on behalf of his children as Negro pupils in the District of Columbia public schools. The defendants were Dr. Carl Hansen, Superintendent of Schools and the Board of Education of the District of Columbia.

2. What generally was the claim made by Julius Hobson against Dr. Hansen and the School Board?

The suit was attacking de facto segregation and unequal treatment of disadvantaged and most Negro pupils in the District of Columbia public schools.

3. What specific claims were made by Julius Hobson to back up his claim that the disadvantaged and Negro children attended segregated schools inferior to those of the white and more affluent children?

The plaintiffs maintained that the policy of having children attend schools in their own neighborhood, with substantially segregated housing in the city, resulted in a school system where most of the white children (making up only 10% of the total number) went to school with other white students rather than with Negroes; that the optional

pupil transfer zones had been used in a calculated way as a means of escape for white children who did not want to attend school with poor Negroes; that the track system extended segregation of the disadvantaged and froze children into categories from which it was almost impossible to be reassigned because of the prejudicial manner and infrequency of testing; that the school system maintained teacher segregation in the Washington public schools.

4. Did Judge Wright accept the factual claims made by the plaintiffs?

Yes. Among the conclusions respecting the comparative inferiority of the predominantly Negro schools, the court found that "the school system's most ancient and dilapidated buildings can be found in the low income areas . . . the Negro ghettos." "The predominantly Negro schools suffer from drastic student overcrowding . . . even while the 85-100% white schools flourish with empty seats and classrooms." "The Negro schools were found to be at 115% capacity, while the white schools were 77% capacity." ". . . (T)he teachers at the predominantly white schools are a clear class above predominantly Negro school faculties in quality." ". . . (M)edian per pupil expenditure in the predominantly Negro elementary schools has been a clear \$100 below the figure for predominantly white schools . . ." "Every student within the boundaries of predominantly white schools gets a chance to attend kindergarten in his neighborhood school; the comparable opportunity is available in the predominantly Negro neighborhood only if classroom space is available—and often it is not." "The predominantly Negro schools, thus, are at severe comparative disadvantage in major respects." (H7689)

5. Did Judge Wright find that the disparities between Negro and white schools were a result of deliberate policies and actions on the part of the defendants?

Yes and No. The court stated: "The causes of the inequalities are relatively objective and personal . . . (I)n the face of these inequalities they (school officials) have shown little concern." Near the beginning of the opinion, Judge Wright wrote: ". . . (T)he court is forced to the conclusion that the school administration's response to the fact and dilemma of segregation has been primarily characterized—at its best—by indifference and inaction."

6. Did Judge Wright find that de facto segregation was illegal in the District of Columbia public schools at this time?

No. Although the court was convinced that de facto segregation works to the disadvantage of Negro students and prevents the alleviation of racial prejudices, it did not declare it unconstitutional. Nor did the court order that there must be integration of all schools in Washington. Judge Wright did, however, order that there should be no racial and economic discrimination in the District public school system, and ordered that the defendants "file for approval by the court a plan for pupil assignment eliminating the racial and economic discrimination found to exist." Superintendent Manning submitted the school administration's plans to the court on January 2, 1968.

7. What orders were made by Judge Wright to be carried out immediately in the running of Washington's public schools?

(a) Abolition of the track system;  
(b) Abolition of the optional zones;  
(c) Transportation for volunteering children in overcrowded elementary schools east of Rock Creek Park to underpopulated schools west of the Park; and  
(d) "Substantial" integration of the faculty of each school beginning with the school year 1967-68.

8. Why did Judge Wright abolish the track system in the Washington public schools?

The court found that the testing procedures used to divide children into tracks did not reflect the ability of the young student.





Written tests developed for students from completely different backgrounds do not test educational potential so much as they indicate prior opportunities in the home and community. Testing as practiced was therefore found to be an inappropriate measure of ability for the majority of pupils. The court also found that the compensatory and remedial education supposedly given those in lower tracks was inadequate, the result being that children placed in lower tracks at an early stage of their education had very little chance of moving up to higher tracks.

Because of these factors, the school system could not justify placing and retaining children in lower tracks on the supposition that they could do no better, given the opportunity to do so.

9. Did Judge Wright abolish all ability grouping in the District of Columbia public schools?

No. The court said that "... it should be made clear that what is at issue here is not whether defendants are entitled to provide different kinds of students with different kinds of education." There is no mention of eliminating all groupings, but only those where there is such a great chance of error as existed in the track system. To provide special education for the mentally retarded separate from other pupils is thus *not illegal* under the Wright opinion. What was abolished was the track system as it then existed.

10. Did the Wright opinion order that the neighborhood school policy be eliminated in the District, or that the boundaries for schools be changed?

No. The opinion made the following findings and orders: "The use by the defendants of the neighborhood school policy ... is the primary cause of the pupil assignment discrimination. Because of the 10 to one ratio of Negro to white children in the public schools of Washington and because the neighborhood policy is accepted and is in general use throughout the United States, the court is not barring its use here at this time."

However, the court did refer to its order that the school administration submit a plan to alleviate pupil segregation, saying that "it is not inappropriate to suggest that in the course of its inquiry the (School) Board should reinvestigate the alterations of the Wilson-Coolidge (high school) and the Paul-Deal (junior high) zones recommended by the Urban League" (in 1964). Under the alterations proposed in 1964, 200-250 Negro high school students living in the area of the Bancroft elementary school east of the Park would have been sent to Deal and Wilson. 300 white children from the Lafayette elementary school area west of the Park and north of Military Road would have been sent to Paul and Coolidge.

The Court therefore did not order that boundaries be changed immediately, but it did express concern with the existing situation, and certainly suggested that the assignment plan developed by the School Board would be scrutinized by the court with a view of achieving a maximum of student integration where feasible.

11. Did the court order that there should be bussing of Negro and white students throughout the school system to achieve racial integration?

No. The only bussing that the court ordered for the school year of 1967-68 was that of volunteering Negro and white students from overcrowded elementary schools to under-capacity schools west of Rock Creek Park, with expenses paid by the school administration.

At the same time the court expressed itself in favor of maximum possible integration within the school system, and reserved its right to make further orders until the School Board had devised its own plans in compliance with the findings of the court. It is not clear exactly what the court would require if it were not satisfied with the plans

submitted by the School Board, but it did require "that the defendants consider the advisability of establishing educational parks, particularly at the junior and senior high levels, school pairing, Princeton and other approaches toward maximum effective integration."

12. What findings did the court make about teacher assignments in the Washington public schools?

The court found that teachers were allowed for the most part to select their own assignments, and that this had led to substantial segregation among the faculties of the schools. "... (I)ntentional teacher segregation in the District still goes on, not only in separating white from Negro teachers but assigning them respectively to schools with predominantly white and Negro student bodies ... (T)his persistent segregation is plainly defective, constitutionally."

13. What did Judge Wright demand that the school system do about the teacher segregation which it found?

"... (F)irst, that an injunction should be directed against every possibility of willful segregation in the teacher assignment process ...

"Next, assignment of incoming teachers must proceed on a color-conscious basis to insure substantial and rapid teacher integration in every school. And finally, to the extent that these two measures are unable quickly to achieve sufficient faculty integration in the schools, this court ... has no doubt that a substantial reassignment of the present teachers, including tenured staff, will be mandatory.

"(Because the parties did not argue this question), and considering the limitations of time, for the 1967-68 school year the court is content to order 'substantial' teacher integration in those schools where complete segregation or token integration of faculty has heretofore existed." (H7696)

14. Considering the Negro-white pupil ratio in the District of Columbia schools, is it possible to comply with Judge Wright's decree?

Yes. The opinion recognizes the preponderance of Negro students, and requires maximum integration to the extent feasible. The opinion also requires the elimination of economic discrimination, and if equal educational opportunities were made available, even in a predominantly or all Negro school, there would be compliance with the decree.

#### SPEAKERS BUREAU

Does your organization need a speaker for a meeting? CBPE has established a Speakers Bureau in order to broaden its role as a "bridge" between the education experts and the ordinary citizen.

Members of the Bureau will be happy to talk to any group—large or small, formal or informal—about education in the District, the Passow study, and the procedure for making citizens' needs known to the school administration.

The newly organized group will include people who can participate in panel discussions as well as solo speakers who can also answer questions from the audience.

If you are interested in working with the Speakers Bureau, or if your organization needs a speaker, please call the CBPE offices at 296-1364.

#### HELP WANTED

Volunteer office aides to get out the Bulletin Board.

Time: 5 hours on the last Wednesday of the month.

Job: Collate, staple, fold 1,000 Bulletin Boards.

People: 5 or 6 needed regularly.

Fringe Benefits: Lunch and car parking paid by DCCBPE. Congenial company.

#### WRITE A LETTER TO CONGRESS

The House District Committee is working on two bills of vital interest to all of us:

1. *The teachers' pay raise bill.* The Senate District Committee has passed a bill providing for a \$7,000 beginning salary, retroactive to October 1, 1967. The House Committee is considering several bills, including one similar to the Senate bill.

2. *A new revenue plan for the District.* The Administration bill provides for new income taxes and a Federal payment which would be set as 25% of local taxes. Thus the District could plan with a better estimate of its expected revenue and would not have to go to Congress annually for the Federal payment. For 1969, the 25% formula would provide a Federal payment of about \$80 million, compared to the current authorization of \$70 million.

Letters to the following members of the House and Senate would indicate the interest of District citizens:

Congressman John L. McMillan, Chairman, House District Committee, 2208 House Office Building, Washington, D.C. 20515.

Senator Alan Bible, Chairman, Senate District Committee, 145 Senate Office Building, Washington, D.C. 20510.

Congressman Ancher Nelson, House District Committee, 1526 House Office Building, Washington, D.C. 20515.

1969 Budget.—The House Subcommittee on D.C. Appropriations held public hearings this week on the 1969 District budget. Your letter to Congressman Natcher, chairman of the subcommittee, supporting the full school budget will be helpful.

Congressman William H. Natcher, Chairman, House Subcommittee on District Appropriations, 2333 House Office Building, Washington, D.C. 20515

#### COMMUNITY EVENTS CALENDAR

CBPE.—The annual membership meeting will be held in May ... full details in the next issue of the Bulletin Board ... but ... have you paid your dues for this year? This is your last chance to do so if you wish to vote for new officers and members of the Board of Directors.

Board of Education.—All meetings begin at 7:30 p.m.

April 3—Coolidge High School, 5th and Tuckerman Sts, NW.

April 17—District Building.

May 1—Anacostia High School, 16th and R Sts, SE.

May 15—District Building.

June 5—Dunbar High School, 1st & N Sts, NW.

June 19—District Building.

Other.—Tuesday, May 14—Day Care Day luncheon. Speaker: Dr. Lois B. Murphy, Director of Developmental Research at the Menninger Foundation, Topeka, Kansas. For further information contact National Capital Area Child Day Care Assn., 1020 3rd St, NW,—Mrs. Priscilla Grayson.

#### Resolution of the Michigan Association of Chiefs of Police

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. DINGELL. Mr. Speaker, the Michigan Association of Chiefs of Police recently adopted a resolution urging the Congress and the Federal Communications Commission to take steps to provide for the control of manufacture and trade in mechanisms capable of receiving public safety frequencies.

So that my colleagues may have the benefit of the association's views on this matter, I am inserting the text of the





# The Story of an Integrated School

By

EDITH NASH

**I**N the fall of 1945, in wartime Washington, Agnes Inglis O'Neil and a small group of parents started the Georgetown Day School. The first parents' meeting represented seven children, one of them a Negro. His grandfather, the head of a prominent real estate company in Washington, attended the meeting, and various grandchildren and cousins of his family have been attending Georgetown Day School ever since. During the whole twenty-two year history, the enrollment of the school has been about one-third Negro, varying between a third and a quarter. There have never been quotas of any kind.

Part of the school's original purpose was to operate an interracial school. The public and parochial schools of the District of Columbia and surrounding counties were segregated at that time, and the traditional

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Mrs. Philleo Nash worked for the Library of Congress and the Office of War Information before becoming Assistant Director of Georgetown Day School, Washington, D.C., in 1945. She became Director in 1961.

independent schools did not accept Negro applicants then or for some time after that. The combined population of the Washington metropolitan area (District of Columbia and adjacent counties in Maryland and Virginia) has remained about a third Negro for many years. We draw our students from the whole area, and the children are brought by parent-operated car pools if they are too young for public transportation.

In the early years of the school, we were all doing everything in our power to attract applications of students. We called all of our friends and acquaintances to tell them that a new school had been started, that it was integrated, that classes were small and informally organized, that Aggie was a genius and had a magical way with young school-age children, and that the children seemed relaxed and happy at the school. The alternatives were the very crowded and poorly staffed District of Columbia public schools, and their complete separation on the basis of color was repugnant to the new arrivals in Washington. These families had come from the middle west, the west coast, and the eastern seaboard, and were in Washington because of federal service in war time, or because of an earlier association with New Deal agencies. They were unaccustomed to and repelled by school segregation. There were Negro parents and friends involved. A nationally prominent Negro chose New York rather than a high government post in Washington because there were no acceptable school facilities for his children in the nation's capital. A few of the parents were private-school oriented because they had themselves attended independent boarding schools on the eastern seaboard. These parents were equally repelled: school segregation seemed "southern." Washington was changing from a southern city to a northern one during the forties, but the schools did not keep up.

**E**VER since this early period, when all students, white and Negro, were recruited by friends and staff, board members and parents, it has never been necessary for us to advertise specifically for or otherwise to recruit Negro applicants. Of course, the more applicants we have, of any color or background, the more selective is the process of admission, as it is apt to be in a growing school. We now number 310 students in kindergarten through ninth grade; and we go through an elaborate process of interviewing applicants after the parents and children have visited at length, to insure the fit of our kind of school and their expectations.



Prospective parents usually hear about the school from former students or their families, staff, neighbors—occasionally from another school in Washington or in a distant community where they have been living. In addition, we have among our parents, current and past, a sizable number of schoolteachers in the city's schools; and the teachers form a valuable source of referrals. In the case of the Negro community, the referrals come from the same sources. We have been sent Negro applicants from the public schools who were extra-bright or especially creative, who were chafing under the standard procedures for teaching, who needed help in reading or math, or who had suffered a recent family disruption, so that the public school teacher thought that the smaller classes and more personal attention of our school might help the child through the family crisis. Of course, we accept those who we think will do well in our informally structured, intellectually stimulating environment, and we always explain the basis for our decision in detail both to parent and referring teacher. When the parents visit the school, they are allowed to move freely in and out of classrooms. While they are in a class, we ask them to be quiet and not answer the teacher's questions, but that is the only restriction. They visit classes above and below the grades they are applying for; they visit art and science classes, the lunch madhouse, and the outdoor recess and sports program. One of the things they observe is the racial mix of children and staff in operation. They can sense the relationships between the children and the teachers. We try to be as open and nondefensive as possible so that many questions can be raised about the parents' expectations. There is a long, leisurely conversation after this visit, either with my assistant or myself, in which parent and school become acquainted with each other, and family skeletons are taken out, shaken, and put back in the closet. We do not want anyone to apply, Negro or white, who does not genuinely warm up to this rather free atmosphere.

Many Negro parents ask: "Will my child be accepted on his merits, or will he be a showcase-item to prove you are an integrated school?" This is now a frequent question, and it is answered more convincingly through observation than through reading statements of purpose or other manifestoes. Once this wariness toward Ladies Bountiful has been overcome, the flow of Negro applicants becomes much steadier.

**A**FTER a parent has visited, and if he likes what he sees, he makes an appointment for his child to come and visit. The child spends a full day in the class in which he would be placed and goes through all the day's activities. Sometimes there is time for him to take a test in reading or math with the teacher, sometimes not. If there is reason to think

that he may be having some difficulty in an important part of his schoolwork, he takes a test privately with our remedially trained tutor, so that a fairly accurate estimate of his academic achievement can be gained. The teacher whose class he is visiting fills out a report on his day in the group, and it is sent to the office and shared with the parent when he comes to pick up the child. If at this point there are indications that the child likes the school, and that he had a satisfactory visit, an application is given to the parent, and he takes it home to fill out. He answers a good many questions about the child's interests and educational history, and returns it to us with a \$15.00 fee. We write the child's previous schools for grades, transcripts, and recommendations. In the case of local public schools, we try to talk to the child's teacher on the telephone, because the grades included in the public schools' report cards are not particularly helpful. Private schools are more apt to send standardized-test results, which are helpful but not conclusive, and these schools are exceptionally cooperative in giving a more subjective description of the child's behavior in school. If the parent has conferred with a psychologist, psychiatrist, or pediatrician about the child's development, we talk to the consultants on the telephone and try to find out how they think the child would function in our school. It is particularly helpful to continue these contacts over a period of time, as the consultants gradually become acquainted with what children do well with us, and then refer children to us more realistically.

After all this material is gathered together, the child's application comes up before our admissions committee. This is a committee of staff, advisory to me as director, which meets after school once a week through the spring period, and more often as necessity dictates. Information is available at the meeting as to how many children are already in the group in question, what sex and age they are; what disposition and academic prowess they show. Each applicant is presented as an individual, and discussion is lengthy. We try to see him as he really is in school; we do not simply measure his fit to some hypothetical standard. We believe this system nets us both white and Negro children who do well in our school. Children are never rejected for a single arbitrary reason, such as "underachieving in math," "too short for the group," or "we have two Negroes in the group already." Our committee frequently does not know or ask whether the applicant is Negro, white, or from any other racial or religious background, although we make no effort to withhold this information if we know it. What we are trying to decide is: "Does this child have a fair chance of functioning well in our school? Will he learn and develop well, either now or in the near future, and will he contribute an extra dimension of human variability to our school population, within, of course, the range we feel we can



handle well?" And as far as parents are concerned: "Are they likely to be pleased by the child's progress in this environment, to support our efforts to guide him, especially if there is some school difficulty, and to contribute to the mix of the total parent population which owns the school and elects trustees from among its number?" These trustees manage the affairs of the school and take full responsibility for its financial stability. Negro members constitute at present a third of our board of trustees. We have had one Negro president, a position of major responsibility, and several vice-presidents and treasurers who have served outstandingly.

There is not a large body of Negro applicants for staff positions in our school, so we remain especially alert to incorporating into our program any Negroes who are interested in us. We always need more Negro teachers than we have. The well-educated Negro teacher is apt to qualify for a job in the D.C. public schools, which have a beginning salary scale of at least a thousand dollars over the average for independent schools in our area. For special reasons not connected with money, some Negro and white teachers have become attached to the Georgetown Day School community, sometimes through having had a child in our school, and have continued to serve long after the child has graduated. There are some other advantages to our teaching situation—our particular brand of teacher-autonomy is one of the important ones.

WHEN Agnes Inglis O'Neil retired as director of the school in 1960, there was no doubt in which direction Georgetown Day School should go in its development. No one thought it should be more progressive, or less; no one thought it should admit more geniuses, or more Negroes, or more Republicans, for that matter. Very little of its philosophy had been written down, except for its original by-laws. A parent committee was organized and wrote, over a period of two years, a statement of goals and objectives, summarizing the original by-laws and what the next twenty years had continued. But it was important who was to be the director in Aggie's place, and the board exercised its most important and painful duty in finding a new one. In this process of upheaval, racial issues were raised by one of the contenders for the job, playing on the insecurities of a handful of parents, white and Negro, whose children's progress was a serious source of concern to them. Owing to the political competence of the newly elected board president, and the succeeding board presidents as well, the situation was first clarified, then resolved, and all signs of racial tension disappeared. The last four years have seen a great calm

descend over our parent body, although the built-in democratic procedures continue.

Since the by-laws were originally written by my husband, the founding president of the school's corporation, when both our daughters were students, I can say with assurance that we never thought the parent-owned method of organizing a school was the easiest way—we thought it was the only way to create a community of parents, teachers, and children, with the learning situation of the children uppermost at all times. Now that my role has changed from parent to staff member, I am even more convinced that it is the case, and I am happy to work within this parent-owned structure for the future of the school. The board of trustees elected from the parent body hires a director to run the day-to-day enterprise. The board supports the director's program financially and defends it mightily up to the point where a new director is indicated. Then it must discharge its most difficult duty, finding a new director who will advance the basic purposes of the school under changing conditions. The fact that this school has always had Negro parents contributing substantially to the running of the school makes it a different kind of interracial community from many now contemplated.

If the population is truly integrated, many parents are interested in what the social life of such a school is like. The lower grades have a good many parties within the school day. Every child celebrates his birthday with cake, ice cream, and a participating mother within the classroom. This has the effect of including all his class within his special day, as well as introducing parents to his whole class. Parents who ask the school's advice are counseled to include all his classmates in a party held at home, or at least all the boys or all the girls if space does not permit the whole class to be entertained, so that Negro and white children can be equally sought after. In the early days of the school, parents would ask for use of the school facilities on a Saturday, because they felt the conservative white communities of nearby Virginia would not tolerate the presence of Negro children at their children's parties. We made the school facilities available, of course, but we have not had a request of this kind for a good many years. We have not yet had a similar request from Negro parents, whose Negro neighbors may resent the white children's coming, but we shall not be surprised when we get one, and we shall of course supply the space.

For twenty-two years, the most productive racial position has been a colorblind one, and we have been successfully colorblind in all ways. Predictions of various forms of community retaliation for our unusual position have not materialized. The next twenty years will be far more color-conscious, and we expect to meet the challenge by putting color-consciousness



to the service of the children in our community, white and Negro, as the times require.

**B**y the time our children get to fourth, fifth, and sixth grades, they are meeting in small groups outside of school for many purposes. They continue to associate on the basis of interests—horseback-riding groups, play groups in neighborhoods, dance and drama groups, sleeping overnight at each other's houses, weekendng at family farms and cabins. The widely separated nature of our school population encourages overnight engagements, with the ride back to school next day in the car pool. We simply encourage friendships that occur, give advice when asked, and do not look askance at any social engagement across racial lines. Our parents fall into an equalitarian pattern once they get to know the school and the children, because it is the most widespread pattern. Expression of hostility by one race toward another is looked down upon, called to account, discussed according to the age and level of understanding of the individuals involved. We have very little of it, but we are not afraid to show our disapproval of attitudes inappropriate to our school. All staff make it abundantly clear that they find terms of derogation relating to race particularly offensive. Prospective staff members who act in a prejudiced or stereotyped way with regard to racial matters are not permitted to join the school staff.

In the junior high grades, a good deal of social life takes place at school, during the day and occasionally in the evening. Junior high dances, informal and casual in dress and activities, are geared to encouraging children to dance rather than play ball on the dance floor, which seems to be the preference of a good many boys. No strictures are placed on "with whom." Many times, girls dance together, as there are not enough boys willing to subject themselves to the terrors of trying, even though they are the majority. Negroes and whites, staff and students, round dances, square dances, couple dancing and that form of individualized jerking that looks like a psychotic trance but is in fact highly expressive and acceptable—all take place simultaneously, while the more watchful boys eat popcorn and cookies and wait to grow up. In this context, rules of a racial kind about who can dance with whom, or any Noah's Ark strictures about each Negro girl coming to a dance accompanied by a Negro boy would be most incongruous, and we would never permit them.

Our school ends with ninth grade, and the more formal dances and social events commonly associated with high school do not take place with us. We encourage junior high parents to have frequent informal parties at their homes, small enough to supervise

easily; and we encourage students to do all the work of the party: inviting the guests, providing the entertainment, refreshments, décor. These parties do not always include the whole class, and frequently they include students from other schools, but they are never restricted along religious, racial, or economic lines; and if one was contemplated to be so restricted we would discuss it frankly with the host child and his parents in an effort to change it. The classes are small (fifteen in the home rooms of the junior high grades), so someone is apt to know what the children are up to socially.

Do the children date across racial lines? Yes, if they date at all. In seventh, eighth, and even ninth grade, they go most places in batches. If their behavior toward each other is inappropriate, it is called to their attention and stopped—because of the behavior, not because of the cross-racial character of the association. Our ninth grade has often gone on extensive field trips in connection with their history projects, sometimes to the deep South. On occasion, their ordinary school behavior has come to public attention because there were white and Negro children in the group. Teachers are careful to change the behavior without seeming to back the southern standard in race relations. On one occasion, a Negro boy had to be told he could not walk the streets of Charleston hand-in-hand with a white classmate, as he did at school, but it was made very clear to him that he was in no way in the wrong, it was just not practical, because the safety of his group was at stake. To keep such an adjustment of behavior on the level of etiquette without giving it moral overtones requires a high degree of trust between teacher and student. Without this trust, the values of the closed society would be introduced into the open society—that is, our school community, and if that happened very frequently, it would be less truly an integrated school. We do not have a perfect score in this regard, but I think it is a pretty good one.

**D**OES it seem likely that some of our white graduates will marry some of our Negro graduates when they are all old enough to marry? It is possible, although I cannot recall any instances in the last twenty-two years. Our graduates, both white and Negro, have gone to different secondary schools, colleges, and occupations and are no longer in touch with each other. But we have an increasing number of parents and staff that are Negro-white marriages, and we are happy to expose the children to the example of a stable family which crosses racial lines and is devoted to the children's welfare.

Another question frequently asked has to do with the special deficiencies the Negro child is said to



bring with him to the independent school. Some of our Negro students start in kindergarten and stay through ninth grade. These students, if they are naturally very quick, stand at the top of the class, go on to good secondary schools and colleges, and generally do well. They entered kindergarten as well prepared as their white classmates—in other words, they could talk well, and needed to learn to talk when it was their turn instead of all the time. Since this is a main task of the kindergarten year and since we feel very able and willing to teach it, we regard these candidates for schooling as entering in excellent shape. Our Negro graduates who have gone to the most competitive colleges have not dropped out as frequently as their white counterparts, although it is hard to say why, and the number is very small.

Some of our Negro students are not so smart. This group learns to work hard, as they progress through the grades, owing to the many invitations to serious involvement, patient teaching, and respectful treatment of them by the teachers and their classmates; and they go on to less competitive secondary schools and colleges, along with a batch of similarly handled white plodders. We keep our junior high groups as mixed up by ability as we can, hoping that a history discussion will not be limited to those whose insight into human motivation is limited by a desire to have the highest mathematical scores, for instance, or the observation so crucial to the science program limited to the fast-reading, fast-writing, nonseeing, high-scoring student. Our different kinds of ability need each other, and it is a two-way street.

Some of our Negro students enter our school in the middle grades and, although well-developed in some ways, show the uneven development characteristic of so many of our students. If we think subject-matter tutoring is indicated, in reading or math, we supply it. If we think emotional factors are holding up progress, we ask the parents to consult a psychiatrist or psychologist, if we can get them to talk to us long enough for this to happen. But in the meantime, we do not take the child unless we can place him in a well-balanced, viable group of people, where he has a good chance of learning to work, learning to live with others, and be accepted for what he does and is, not for some adherence to a preconceived stereotype.

OUR scholarship fund is small, about three per cent of our annual operating budget, and is administered by a committee of our board. The awards have consisted mostly of part-tuition grants to parents of students already in school whose income and expenses indicate they need a helping hand, perhaps temporarily. We have not had very many full scholarships to give out, and we have always had

more white applicants than Negro for all our scholarship funds. We now hope to increase our scholarship fund by awards from funds outside the school, in order to reach out into the community of much poorer people.

This opens up the whole question of scholarships and their purpose. Prior to the Supreme Court decision of 1954, the segregated public schools of the District of Columbia did a good job for those very few talented and persistent Negro students who showed superior performance under those conditions. These students were located, looked after, and pointed toward the few scholarships that were available at some good colleges and universities. The result was a small number of Negroes of superior capability in the best schools. To this number the independent schools of Washington made no contribution at that time. Since 1954, the situation has changed, and especially so recently. Many more students of superior ability, and many more, too, of better-than-average ability, are emerging from the public, parochial, and independent schools, and more of them every year are going on to the best secondary schools and colleges. Scholarship funds in higher amounts are being made available to such students.

Unfortunately, the available scholarship programs do not totally meet the need during their elementary years of students who could go to Georgetown Day School. Our desire is to have as broad an economic base for the parents and children of our school community as is humanly possible. Some of these children may be in the "talented tenth" and some are not. The imaginary child who is five years old and clearly will equal Jackie Robinson combined with Ralph Bunche is not in great need of financial or any other kind of help. Georgetown Day is already more broadly based in economic terms than used to be the case in independent schools; we would like to be even more broadly based. We must, therefore, be in a position to reach out into the community of urban poor; but this requires extensive financing over a ten-year period for the child and his family, and a suspension of judgment as to his acceptability at Harvard while he learns to read and write in the early grades.

I BELIEVE that the main administrative responsibility toward integration is to administer all programs fairly—especially admissions, teacher-hiring, tutoring, placement in classes. But our school community depends heavily on parent participation in many activities. Some are volunteer jobs, such as the library committee or the Christmas scholarship party committee. Some are essential to the children's progress, such as attendance at the individual parent-teacher conferences or the group meetings held for each grade. A



colorblind policy does not remove the need for administrative vigilance to prevent unconscious discrimination.

If Negro parents, staff, children, and trustees are not significantly present in these and all other aspects of the school's operations, someone must take steps to change the situation by insuring appropriate participation. This kind of watchfulness I take to be the director's responsibility. It has not been hard to discharge this duty. Our parent population includes per-

sons both Negro and white who are closely connected with federal and local government: judicial, legislative, and executive. Last week, as I write this, the President appointed a former parent of our school to be the first "mayor" of Washington, and the first Negro executive of any large city. Next week, the first Negro justice of the Supreme Court will be sworn in. He is also a parent of our school and currently serves on our board of trustees. We are glad to say that their busy lives regularly include a share of time to give to their children's school.

# The School Mess

**Toward Creating a Model School System:  
A Study of the Washington, D.C. Public  
Schools**

by A. Harry Passow and Others  
Teachers College, Columbia, 593 pp.,  
\$5.00

**Paul Lauter and Florence Howe**

A white school administrator in the District of Columbia unwittingly provided a clue to the pathology of urban education. She was talking frankly about the "two language" problem of a school population that is 91 percent Negro. Yes, she agreed, Negro children speak a dialect whose consistency we ought, in some measure, to respect. "But then," she said, warming to her subject, "there is the problem of getting jobs. For example, take the young man who goes to the store for a job. A lady comes out of the store with a package, and he goes up to her and says, 'Lady, kin ah kerrier

packsh furya?' Well, she isn't quite sure what he has said, and his tone has put her off as well, and so she says, 'No, thank you.' And the boy doesn't get the job." The sight of black children educated to haul packages for ladies is a common and haunting one: you see them at Washington's supermarkets any day in the week. Nothing so shapes the education these children are given as the ideas people hold about the purposes of that education.

No more extensive catalogue of the failure of urban education has been provided than a recent study of Washington, D.C.'s public schools. The Passow Report grew out of pressure from citizens' groups in the District for a plan to change the faltering school system. The former Superintendent of Schools, Carl Hansen, was under considerable personal attack by some members of the school board and by civil rights groups; and, with the Board, he was the defendant in a federal suit, brought by a Negro, Julius Hobson, attacking discrimination against Negro children in general and,

in particular, the "track system," a rigid form of ability grouping instituted by the Superintendent. Hansen agreed to a study, at least in part it would seem, as a delaying tactic, and proposed for the job the National Education Association, a group often accused of being a company union since its huge membership includes school administrators as well as teachers. But liberal groups did not trust the notion of educators passing judgment on their local colleagues—the NEA's national office is in Washington. Through the efforts primarily of the D.C. Citizens for Better Public Education, whose current chairman is Mrs. Gilbert A. Harrison, they sought out Columbia University's Teachers College and, in June, 1966, helped to arrange a \$250,000 contract for the year's study.

Those forces working to reform the schools clearly wanted the prestige of Columbia and of "research findings" to substantiate the patent defects that everyone had long observed in the system. White parents had been fleeing Washington since World War II—only 55 percent of the children in Washington's schools were white when school desegregation was ordered. Negro parents able to afford it had been sending their children to private schools in increasing numbers. It was only a matter of time before Washington's schools "served" only those, black and poor, who could not escape them.

MEANWHILE, however, Julius Hobson's federal suit against the school system was heard before Judge J. Skelly Wright, the architect of desegregation in New Orleans. In June 1967, on the day before Passow's preliminary findings were released, Judge Wright handed down his ruling—and thoroughly upstaged the Report. Judge Wright found that the Superintendent and the Board "unconstitutionally deprive the District's Negro and poor public school children of their right to equal educational opportunity







with the District's white and more affluent public school children." He attacked segregation of students and faculty, unequal distribution of funds among predominantly white and black schools, and the "track" system. Tracking, said Wright, condemned black and poor children, on the basis of inappropriate aptitude tests, to a "blue collar" education in lower tracks distinctly unequal to that provided white children in upper tracks. Many Negro schools had no honors track and few white schools had the "basic," or lowest, track. Wright ordered an end to tracking, decreed that children be transferred to relieve overcrowding and to achieve maximum desegregation, and asked the schools to prepare a plan for integrating their faculties and instituting equal services to Negro and white students. Hansen, faced with a sharp judicial condemnation of his regime and forbidden by the Board to appeal in his capacity as Superintendent, resigned; Congressmen talked about providing for election of the School Board instead of having it appointed by the federal District Court judges. It appeared that a new educational day might be dawning in Washington, what with the force of the Wright decision, the possibility of local democracy, and the details and proposals of the Passow Report.

As Judge Wright's decision delighted the militants who had brought suit, so the Passow Report has pleased its liberal sponsors. Its pages, however unreadable for the most part, honestly document enormous failure at all levels by all participants in the system. Thirty-three task force chairmen and a staff of more than a hundred reported to Passow their observations of the schools and the communities around them, the administrative offices, even their interviews with Congressional committeemen. With professional shrewdness, they examined the administrative hierarchy, the curriculum, books and equipment, population shifts, attendance, teachers' education and background, and more besides. The endlessly detailed Report, probably put together too hastily by Passow, is a disorganized compendium of all findings: the divisions are arbitrary and everything is given equal importance; there is no real direction—only a hope that Washington will become a model to the nation.

But from the mass of statistics, surveys, and observations, two images emerge. First, an image of administrative quagmire: the system is an irrational accretion of conflicting provinces and traditional loyalties, too understaffed in most areas to do a job well, yet too large to be responsive to classroom needs. Passow charts the breakdown of communication between lower echelons and policy-makers: principals, for example, are almost never consulted about staff appointments to their schools, nor teachers about curriculum materials and aids they need in class. On the other hand, curriculum policy is handed down in bare outline and without real guidance for teachers, with the result that they generally offer to students the shell of a program: reading, for instance, is taught as if it were a matter of breaking some mysterious code, rather than as a useful tool for gaining understanding and enjoyment; and unused and misunderstood science and mathematics equipment lines the bookshelves.

Beyond the bureaucracy's bungling—indeed, seemingly remote from it—one sees a second image, that of students who are not learning. Passow's statistics bear out what everyone already knew from experience: that segregated Negro children in Washington, as in every city, perform abysmally by all "achievement" measures. Of eleven high schools in the District that Passow examined, one is 93 percent white, another 60 percent black, the rest between 84 percent and 100 percent black. Test scores for the white school show its students performing among the top 10 percent in the country. Scores in the predominantly black schools are generally in the lowest third, with the integrated school always ahead of the segregated ones; and in math, mostly in the lowest *tenth*. Achievement tests are, indeed, misleading in many respects, organized so that middle-class students will normally do better; but the fact remains that most of the students in the nation's capital do not perform in reading, writing, and arithmetic at anything close to national norms, grade levels, or any standards that can get them good jobs. A third cannot really read well

enough to pass civil service examinations. As a result, Passow tells us, private employers in the District and federal personnel officials accuse one another of having skimmed the cream of the high school graduates. Meanwhile, knowing how dull and useless school is for them, between 40 and 50 percent of the students drop out.

THE REACTION of these dropouts is probably healthy and appropriate. Passow's analysis of administrative breakdown, of an inept curriculum and low morale, would, no doubt, be enough, were the Washington schools guilty merely of failing to teach skills or encourage curiosity, adventure, enthusiasm, pride. But in fact occasionally the impression is of a school system only too successful. "Children in the elementary schools visited by this task force," says the Report, "were having abundant opportunities to *overlearn passive conformity*." Students who drop out may well be rejecting not only the failure of the schools to teach them skills; they may be rejecting what the schools *do* teach. The Report is worth quoting in this regard, though it is as well to note that these quotations appear only in the sections describing instruction in the elementary schools and in English.

When the teacher has all the ideas, gives all the directions, handles all the materials, and admonishes the children to sit still and not talk—if they do not rebel or withdraw completely—most children respond with an unquestioning acceptance of the teacher's rulings on all matters. For instance, "a child was not allowed to color his Halloween pumpkin green, even though the teacher had just read a poem referring to the green of a pumpkin when it was small."

The child spent most of his day paying the closest possible attention to his teacher, following her directions, responding to her questions, and obeying her rules. The children were not encouraged to talk to one another, either formally or informally—indeed, the principal technical criticism the observers





had of the language program was that it did not seem to deal with speech. And the sad fact is that in spite of all this, the children don't really learn to read. . . .

The children sang when instructed to do so, chorused responses when given recognized signals, and worked on written assignments, copying exercises from the chalkboard. The children spent most of the day writing at their desks; rarely speaking except in chorus. No one argued, disagreed, or questioned anything. At no time when I was in the room did any child ask a question.

It is entirely in keeping with the elementary program just described that almost every Negro boy in Washington's high schools must participate in a "cadet corps" whose first objective is "to inculcate habits of orderliness and precision, to instill discipline and thereby respect for constituted authority. . . ." It is no accident that in high schools with large white enrollments the voluntary nature of the cadet program is explained to students—and a quarter or fewer of the students join—while five of the predominantly black high schools have 100 percent enrollment. Only a rare statistic like this one, or an occasional comment catches the inner character of the Washington school system: "The teachers act as if warmth and sensitivity to individual feelings were somehow in conflict with the intellectual purposes of school instruction." What is taught in a school, after all, cannot be fully expressed in administrative or even academic language. It is conveyed by the nature and atmosphere of its classrooms, the attitudes of teachers and students toward one another and toward learning. Washington's school system ignores the lives of its students, offers them an irrelevant curriculum, emphasizes correcting their speech, appearance, habits, personalities, from kindergarten on, works mostly by close-order drill, permits students to spend more time on cadet corps than on English or math, guards instructional materials from student use. It is a system that treats "the child as a 'piece of children' rather than as an individual human being." It teaches him that he is unimportant, stupid, dirty; it teaches him to despair and hate; it teaches him to quit. It does not teach him to function with intelligence and power.

WHY IS THIS SO? How has Passow explained the fact that Washington's schools have become instruments for pacifying and degrading students rather than inspiring and educating them? Since Washington (with 91 percent or more of its 150,000 schoolchildren black and more than 50 percent of them poor) is only a more advanced and obvious case of urban education, a diagnosis of its disease can serve, with minor modifications, for Chicago or Gary or Los Angeles.

Passow finds every part of the system contributing to the confusion and degeneration of the schools, but he emphasizes first the responsibility of the administrators and the Board, then the inadequate preparation of teachers. He charts the almost total lack of articulation among parts of the system. Parents cannot find anyone to respond to their complaints, administrators are forever involved in petty details instead of leadership, experimental and research projects come and go without much relation to the system and with indifferent support and less evaluation, and teachers are left prey to their fears for their safety and advancement, and without a sense of freedom to follow their own best instincts should they ever feel the inclination to do so.

They seldom do, Passow suggests. Most Washington teachers—78 percent of whom are Negroes and 80 percent women—have been poorly trained in the District or in similarly weak, segregated systems. For the most part they know only the "say and listen" method and they do what has been done to them. Trained as passive students in authoritarian classrooms, they are really more comfortable in them. An open classroom with active, inquisitive youngsters is worrisome. Unanswerable questions might be asked; a teacher might be "wrong," get out of her depth, be embarrassed. Noise might attract the unfavorable eye of principal or supervisor. Better to establish uniform control, set the dimensions of the class at the limits of one's own knowledge and personality. Then nothing unknown or threatening can come up—except, of course, "unruly" children, who can be sent to the principal. Besides, whole-group instruction, which is what Hansen's instructional program mostly called for, demands total control, or so the teachers believe. Thus, as a product of a repressive system, Passow makes clear, the typical Washington teacher has internalized its main value—control—and elevated it into an educational idol.

There are further problems of race, status, and attitudes toward students that Passow does not sufficiently examine. His questionnaires on teachers' attitudes do not probe far and their interpretation is disputable. For instance, Passow finds that Washington teachers score high on an "assurance" scale and are not notably "authoritarian," but he fails to account for their admitted hostility to experiments which upset the routine or the authoritarian character of their classrooms. Again, among a list of "factors which interfere with teaching and learning" presented for teachers' reaction, Passow includes only two—class size and faculty turnover—that concern the character of the school and classroom or the teachers themselves. Predictably, most teachers blame parental indifference or students' recalcitrance and poor training. Depending on the grade they teach, 34-41 percent of the teachers cite low level of student intelligence as a factor—one wonders how many more believe that but will not admit it; 50-72 percent cite poor student training in basic skills. Passow's conclusion, that "teacher evaluations of the quality of education seemed to be an assessment of school control, or so the teachers believe. Thus, as a product of a repressive system, Passow makes clear, the typical Washington teacher has internalized its main value—control—and elevated it into an educational idol.

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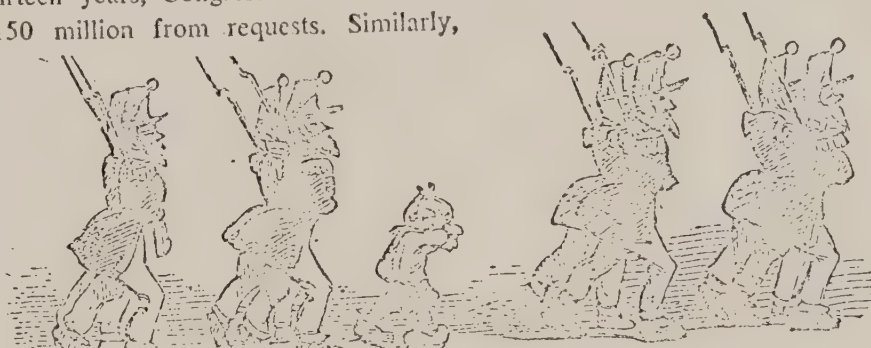




uations of the quality of education seemed to be an assessment of school offerings and practices, not of the educational potential of the children," seems, therefore, a bit simple. Indeed, Passow's view of the instructional program, as well as our own experience in Washington, suggests that teachers' views of their students and themselves are both more ambiguous and more central to the problem than Passow allows.

During the summer, in a pre-service institute with a group of Washington teachers theoretically committed to participating in an experimental program, a dispute about hair revealed a great deal about the teachers' self-images and their attitudes toward being Negroes. A film had shown a little Negro girl stroking the long, straight hair of her white teacher. "Why," a staff member, a Negro woman from Detroit, asked, "hadn't the teacher reciprocated? Why didn't she make the child feel that she was beautiful, too?" After a certain amount of hedging, a Negro teacher said, "But how could she reciprocate? She couldn't say the child's hair was beautiful—it isn't. It's all kinky and nappy, bad hair." When the term began, the same teacher was one of the first to insist that experiments were all right for suburban children—but "these children" needed something different, discipline, control, a tight hand. Thus it is not surprising that D.C. teachers, Negro and white, while favorable, in one Passow survey, toward Peace Corps volunteers, college professors, Jews, and even Negroes (could they have anticipated, with long classroom skill, what was expected of them?), are coolest toward John Birchers, Communists, the Ku Klux Klan, and Black Power. The fact of the matter is that most teachers are of low social and economic origins, barely "escaped," as some perceive it, from the ghetto. They have ambivalent, often strongly hostile, feelings toward the ghetto children they teach; and the system, with its tracks, its decrepit schools, its lack of suitable and plentiful material, confirms their low expectations of the students, and, in effect, gives them a mechanism for acting out their hostility without ever being aware of it.

A THIRD PARTY responsible for conditions in the Washington schools, Passow mildly suggests, is Congress, which has been unwilling to provide adequate funds, especially for new construction. Passow accepts the universal groan about the District's peculiarly tedious budgetary process: School Board requests are first cut by the D.C. government, then by Congressional committees. But the fact is that Congress functions not very differently from local white power structures in other cities. For political and racial reasons, the Congress (through the conservative House and Senate District Committees) continues to insist on controlling the D.C. school budget, although it contributes only 15 percent of the District's funds. (Passow says that 25 percent is a reasonable minimum contribution.) Budgetary control permits Congress to make political and educational policy for the schools, as Senator Byrd recently made clear when he forbade the use of regular school funds for "bussing"—though the "bussing" complies with Judge Wright's orders to relieve overcrowding and promote further desegregation. Moreover, budgetary control has permitted Congress, acting the role of absentee landlord, to reduce steadily the percentage of Board of Education requests granted. In the past thirteen years, Congress has cut almost \$150 million from requests. Similarly,



though Washington enjoys a relatively strong real property tax base, it shields property owners through sharply declining assessment ratios and low tax levels, while its sales tax, even on food, falls disproportionately on the poor, whose children are thus doubly robbed. As a result, over the last ten years Washington's per pupil expenditure has risen only 63 percent, as compared with a national average of 81 percent—and this despite the increasing desperation of school problems in the District.

Passow is remarkably restrained in his comments about Congressional responsibility for the degeneration of the District's schools. His strategy is not to harp on past failures, but to hold out a vision of Washington as "the nation's laboratory for the creation of a model for urban school systems and its show-place to other countries of how America's goals and values for equal oppor-

tunity can be attained in the metropolitan setting." As an educational and administrative reformer, Passow provides a compendium of currently acceptable ideas for improving urban education—ranging from total administrative reorganization to new ambitious programs, like regular classes for four- and some three-year-olds. Most useful are his ideas about the re-education of teachers. Passow suggests that teachers should spend between 15 and 20 percent of their regular working day in "continuing education" if such study is to be really useful and not simply a sporadic activity, motivated primarily by desire for higher wages. He recommends establishing with the help of universities, Staff Development Centers for teacher education and curriculum development. He would have the curriculum developed flexibly—by teachers, principals, specialists—working together in an individual school building. He understands that teachers need support, encouragement, and the chance to grow

—even as their students do: "Only as teachers come to believe in themselves and in the children they teach, and are provided with the assistance in diagnosing and planning required for individualizing instruction, can the education program advance." It is a fine sentiment, but the record Passow provides of past studies ignored, present plans undermined, as well as the magnitude of the changes he recommends, suggests that his vision is suspended somewhere in political limbo.

Any proposal to change urban education must contend with problems fundamentally political rather than educational. The failure of integration, acknowledged in Passow's scant twelve pages on the subject, is a case in point. Only thirteen





years ago, integration was seen both as an educational goal and a political strategy, but urban schools today are more thoroughly segregated than they were in 1954. There is, as Passow points out, no greater proportion of Negroes in the Washington area than there was 100 years ago, and thus no greater population barrier to integration. Certainly we know how to integrate the schools: feasible plans already exist for educational parks, "bussing," pairing of schools, reorganizing school district lines; and we know the further changes in metropolitan planning, housing, governmental structures, and so forth, needed to develop integrated communities. But as Passow says,

none of this is likely to happen—indeed all of it is certain not to happen—until Marylanders, Virginians, Washingtonians, and Americans are convinced that their interests will be better served by making the national capital area a well-integrated metropolitan community than by keeping it the white encircled black ghetto that it is now.

Precisely: white Americans do not consider it in their interest to invest heavily in integration. It is not merely a question of money; it is also a matter of pledging white children to such integration. Thus, however reasonable its educational goals (The Coleman Report has shown, for example, that Negro students perform better in comfortably integrated schools), however essential its social goals (in a multi-racial society, separate education can only perpetuate racism), as a political strategy, integration now appeals neither to reformers and liberals like Passow nor to black militants who have waited for it too long and in vain.

WITH INTEGRATION sidetracked, the political questions then become: first, will white Americans pay the costs of the "unequal" education needed to provide equal opportunity to black children, and then, what kind of education will such "compensation" be? The cost of reconstructing urban school systems—which is what Passow is asking Washington to do—will approach, if it does not exceed, the cost of constructing almost wholly new integrated systems. To cut class size from forty to ten, to build new classrooms, to re-educate teachers, to

provide special services (medical, social, academic) for students, and new books and materials will cost at least five times the present national per pupil cost, probably as much as \$180 billion for the next ten years. Where is the political power to pry that kind of money loose from the Congress—or, for that matter, from any source for any urban system? Who is to guarantee, moreover, that such programs will not, like present Title I dollars from the Office of Education, become a kind of rivers and harbors bill, with each part of the educational establishment getting its bit to continue doing what it has been persistently failing at all these years? But again, money is not the only issue: black militants and others are questioning the credibility of "compensatory" education, at least in the hands of those currently in power.

The controlling idea of "compensatory" education is that black and poor children are "culturally deprived" by their immediate family and slum environment. Hence what they need is an extra dose of what middle-class children get. Educators locate the problem in the child himself and ask how the child can be changed to fit the schools' definition of achievement, instead of asking how the schools must change to serve the child. Thus Head Start must be used to "prepare" the children of the poor for obedience and cleanliness in kindergarten. The idea of school as a "civilizing" or socializing agent is not in itself necessarily objectionable; rather it is that no matter how carefully one defines "deprivation," its connotations include, as Dan Dodson of NYU's School of Education has suggested, the latest version of notions about original sin and natural inferiority. Where then, militants ask, is the evidence that "compensatory" programs won't become a more elaborate way of pushing kids around, strait-jacketing them to fit the system—all in the name of "saving" them from the damnation of deprived (read inferior) backgrounds?

The political reality that Passow does not see is expressed in the indignation of Judge Wright: "The Washington school system is a monument to the cynicism of the power structure which governs the voteless Capital of the greatest country on earth." Such monuments to cynicism exist, like giant Victorian prisons, in every city of this land. Public education, once a means for integrating and elevating American society, has become a source and carrier of the society's pathology, its teachers and administrators virtually unconscious of

their own illness. The Superintendent of one of the largest school systems remarked casually to us a few months ago that it will be years before people regain confidence in the schools. In the meantime, students and dropouts educated to carry packages, or guns, hang on street corners, waiting to turn the fires in themselves against the cities. Why then, the current desperation urges, trust the school system at all? Why not tear those prisons down, break the system's monopoly?

Passow's firm commitment to public education—his belief that it can, with help, cure itself—is what separates his recommendations, finally, from those more recently proposed by Kenneth Clark, James S. Coleman, and McGeorge Bundy. Though there are differences among them, the three are united in their skepticism about the system's ability to change. Coleman's idea—already under study by the US Commissioner of Education—is that schools contract the teaching of basic skills to entrepreneurs like IBM and the General Learning Corporation, who would be paid on the basis of results—measured according to standard "achievement" in reading and arithmetic. Kenneth Clark, seeing public education as captive of a white middle class intent on retaining its own power and privilege, suggests the establishment of separate schools to compete with the urban systems. These might be run by states or the federal government, by colleges, industry, labor unions, or the army. Unlike Clark and Coleman, who propose goading the system, with new, competing institutions (or allowing it to wither away), Bundy and other proponents of "decentralization" would break the system by diffusing its authority, especially among parents elected to local school boards which would serve limited school populations. Fred Hechinger of *The New York Times* analyzes Bundy's proposal as "an effort at both radical change and pacification of a strife-torn city . . . It aims . . . to put an end to the feeling, now prevalent in the ghetto, that many of the district superintendents . . . are colonizers sent 'down' by the outside power structure [and] to defuse the present guerilla war-





fare by giving elected parents—and only parents, not outside agitators—the kind of power and responsibilities normally enjoyed by suburban school board members.” Whatever their dangers, such proposals\* respond to the distrust of urban systems and appeal to the interests of potentially powerful groups: the growing “welfare-industrial complex,” ghetto parents and black militants, and the politicians and foundations anxious to provide the latter with “creative” channels for their anger. If they are bound to meet opposition from the educational bureaucracy, and teachers groups, among other powerful forces, these ideas still have built-in political clout, which Passow’s recommendations generally lack.

Passow, repeating again and again that Washington should and must become a model system, has only his moral fervor and an appeal to conscience to energize his plans. Given his loyalty to the system, the eclectic character of his suggestions, and his air of agreeing with all critics, even his proposal for some form of administrative decentralization has little political bite. Passow recommends dividing the system into six or eight Community School Districts of perhaps 20,000 students. Each would have a locally elected school board which would choose a District Superintendent from a centrally approved list. Within the rules established by the central D.C. Board, the local boards would establish or consult on curriculum, personnel, and budget—though it remains unclear how they might do this and what power they would really have. Bundy’s proposals are not essentially different. But it is a measure of the political gulf between New York and Washington that his have received much attention, fierce attack, and some significant support, whereas Passow’s, like most of the Report, have been received with little fervor, especially in the ghetto. This is not, finally, so much a consequence of his ideas, but of the Washington Judge Wright so bitterly described. At a recent conference held by Passow for college, school, and community representatives, 80 percent of those present were white. Most “community representatives”—that is, Negroes—had not bothered to attend. As one Negro who did come explained, “they don’t believe much is going to happen.” In New York, where there have been demonstrations and other successful actions by parents against the school system, decentralization is a live issue, perhaps because it offers a means to pol-

itically activate the ghetto. In Washington, the largely quiescent Negro community has been promised so much so often and disappointed so persistently that it views any set of proposals with suspicion if not contempt. The attitude toward the Passow Report ranges between “tell me when they really change anything” and “that’s another quarter of a million dollars Whitey has spent on himself and not on our kids.”

If adopted, the decentralization Passow suggests may help to awaken the political consciousness of Washington, whether or not Congress decides to provide for the election of a city-wide Board. That proposal has verbal support from nearly everyone in Washington, and probably will be enacted during the coming year. But the lack of any sense of urgency is reflected by the fact that it is now stalled in the Senate because of a trivial political hassle as to whether elections should be held in the spring or fall. In any case, an awakened consciousness is only one step toward meaningful education for the children of Washington. One often forgotten correlation of the Coleman Report suggests that students do better when they sense that the school is relevant and responsive to *them*, that it is in some sense theirs, that, in short, they have power in it—even, if they will, Black Power. There is a lesson to be learned from that correlation, a lesson proved every day by the banality and intellectual brutality of suburban education: only so long as schools honestly serve the interests of the students can they succeed. Whether schools are responsive to Boards, administrators, teachers, or parents will not finally insure that they are responsive to children. And while they are instruments to pacify or control children, to produce manpower or package-carriers, they will continue to fail. □

\* Coleman and Clark assume the virtues of competition, using as their model the somewhat dubious history of American industrial development. Competition in automobiles and cigarettes has produced results, in the form of profits, for companies, but it has hardly produced products that are healthy and inexpensive for the consumer. As a matter of fact it is often the case not that competition leads to superior results, but that well-advertised shabby goods drive better ones off the market. No doubt, too, the military gets certain results with men under its control (though it would be well to look more closely at just what their results are)—Mussolini made the trains run on time. But it is not, as Clark suggests, simply anti-military rhetoric to ask what other values and objectives are served by an education in the hands of industry or the military. To say that urban systems now block the economic mobility of black children and intensify class distinctions is not to say that education in the hands of the military-industrial complex will not remove black children from the frying pan of the ghetto to the fire of the battlefield.





This decision has broad implications for the whole issue of de facto segregation in northern school systems. In two aspects crucial to most urban populations the ruling by Judge Wright went beyond the basic Supreme Court decree in 1954 forbidding school segregation. First, he extended the desegregation doctrine of the Supreme Court to include de facto segregation which results from "unintentional" administrative practices, and second, he introduced a wholly new prohibition against substandard, and therefore discriminatory, education of the poor, regardless of race.

Because of the major impact this decision would have on nearly every school system throughout the Nation, I am sure each Member of Congress will want to be fully informed and cognizant of the sweeping details of Judge Wright's decision. Under unanimous consent I extend my remarks by inserting in the body of the Record the full text of the decision:

[U.S. District Court for the District of Columbia]

JULIUS W. HOBSON, INDIVIDUALLY AND ON BEHALF OF JEAN MARIE HOBSON AND JULIUS W. HOBSON, JR., ET AL. PLAINTIFFS v. CARL F. HANSEN, SUPERINTENDENT OF SCHOOLS OF THE DISTRICT OF COLUMBIA, THE BOARD OF EDUCATION OF THE DISTRICT OF COLUMBIA, ET AL. DEFENDANTS—CIVIL ACTION No. 82-66

William M. Kunstler, Washington, D.C., and Jerry D. Anker, Washington, D.C., for plaintiffs.

Charles T. Duncan, Corporation Counsel for the District of Columbia, Matthew J. Mullaney, Jr., Assistant Corporation Counsel and James M. Cashman and Robert R. Redmon, Assistant Corporation Counsel at the time of trial, for defendants.

Wright, Circuit Judge\*:

#### SUMMARY

In *Bolling v. Sharpe*, 347 U.S. 497 (1954), the Supreme Court held that the District of Columbia's racially segregated public school system violated the due process clause of the Fifth Amendment. The present litigation, brought in behalf of Negro as well as poor children generally in the District's public schools, tests the current compliance of those schools with the principles announced in *Bolling*, its companion case, *Brown v. Board of Education of Topeka*, 347 U.S. 483 (1954), and their progeny. The basic question presented is whether the defendants, the Superintendent of Schools and the members of the Board of Education, in the operation of the public school system here, unconstitutionally deprive the District's Negro and poor public school children of their right to equal educational opportunity with the District's white and more affluent public school children. This court concludes that they do.

In support of this conclusion the court makes the following principal findings of fact:

1. Racially and socially homogeneous schools damage the minds and spirit of all children who attend them—the Negro, the white, the poor and the affluent—and block the attainment of the broader goals of democratic education, whether the segregation occurs by law or by fact.

2. The scholastic achievement of the disadvantaged child, Negro and white, is strongly related to the racial and socio-economic composition of the student body of his school. A racially and socially integrated

school environment increases the scholastic achievement of the disadvantaged child of whatever race.

3. The Board of Education, which is the statutory head of the public schools in the District, is appointed pursuant to a quota system which, until 1962, for over half a century had limited the Negro membership of the nine-man Board to three. Since 1962 the Negro quota on the Board has been four, one less than a majority. The city of Washington which is the District of Columbia, presently has a population over 60% Negro and a public school population over 90% Negro.

4. Adherence to the neighborhood school policy by the School Board effectively segregates the Negro and the poor children from the white and the more affluent children in most of the District's public schools. This neighborhood school policy is relaxed by the Board through the use of optional zones for the purpose of allowing white children, usually affluent white children, "trapped" in a Negro school district, to "escape" to a "white" or more nearly white school, thus making the economic and racial segregation of the public school children more complete than it would otherwise be under a strict neighborhood school assignment plan.

5. The teachers and principals in the public schools are assigned so that generally the race of the faculty is the same as the race of the children. Thus most of the schools can be identified as "Negro" or "white," not only by reference to the predominant race of the children attending, but by the predominant race of the faculty as well. The heaviest concentration of Negro faculty, usually 100%, is in the Negro ghetto schools.

6. The median annual per pupil expenditure (\$292) in the predominantly (85-100%) Negro elementary schools in the District of Columbia has been a flat \$100 below the median annual per pupil expenditure for its predominantly (85-100%) white schools (\$392).

7. Generally the "white" schools are underpopulated while the "Negro" schools generally are overcrowded. Moreover, all of the white elementary schools have kindergartens. Some Negro schools are without kindergartens entirely while other Negro schools operate kindergartens in shifts or consecutive sessions. In addition to being overcrowded and short on kindergarten space, the school buildings in the Negro slums are ancient and run down. Only recently, through the use of impact aid and other federal funds, have the Negro slum schools had sufficient textbooks for the children's use.

8. As they proceed through the Washington school system, the reading scores primarily of the Negro and poor children, but not the white and middle class, fall increasingly behind the national norm. By senior high school the discrepancy reaches several grades.

9. The track system as used in the District's public schools is a form of ability grouping in which students are divided in separate, self-contained curricula or tracks ranging from "Basic" for the slow student to "Honors" for the gifted.

10. The aptitude tests used to assign children to the various tracks are standardized primarily on white middle class children. Since these tests do not relate to the Negro and disadvantaged child, track assignment based on such tests relegates Negro and disadvantaged children to the lower tracks from which, because of the reduced curricula and the absence of adequate remedial and compensatory education, as well as continued inappropriate testing, the chance of escape is remote.

11. Education in the lower tracks is geared to what Dr. Hansen, the creator of the track system, calls the "blue collar" student. Thus such children, so stigmatized by inappropriate

aptitude testing procedures, are denied equal opportunity to obtain the white collar education available to the white and more affluent children.

Other incidental, but highly indicative, findings are as follows: a. The June 1964-December 1965 study by the Office of the Surgeon General, Army, shows that 55.3% of the 18-year-olds from the District of Columbia failed the Armed Services mental test, a higher percentage than any of the 50 states. b. The average per pupil expenditure in the District's public schools is only slightly below the national average. The 1964-65 Bureau of the Census Report on Governmental Finances shows, however, that the District of Columbia spends less per capita on education generally than all states except Arkansas and Tennessee. c. The same report shows that the District of Columbia spends more per capita on police protection than all states without exception. In fact, the District of Columbia spends more than double any state other than Nevada, New York, New Jersey and California. The inferences, including those bearing on the relationship of the quality of education to crime, which arise from these findings are obvious. Indeed, the National Crime Commission's Task Force Report: Juvenile Delinquency and Youth Crime indicates that the very deficiencies in the District's public school system noted by the record in this case—prejudging, through inappropriate testing, the learning abilities of the disadvantaged child as inferior to the white middle class child; placing the child in lower tracks for reduced education based on such tests, thus implementing the self-fulfilling prophecy phenomenon inherent in such misjudgments; placing inferior teachers in slum schools; continuing racial and economic segregation of pupils; providing textbooks unrelated to the lives of disadvantaged children; inadequate remedial programs for offsetting initial psychological and social difficulties of the disadvantaged child—all have contributed to the increase in crime, particularly juvenile crime.

In sum, all of the evidence in this case tends to show that the Washington school system is a monument to the cynicism of the power structure which governs the voteless capital of the greatest country on earth.

#### REMEDY

To correct the racial and economic discrimination found in the operation of the District of Columbia public school system, the court has issued a decree attached to its opinion ordering: 1. An injunction against racial and economic discrimination in the public school system here. 2. Abolition of the track system. 3. Abolition of the optional zones. 4. Transportation for volunteering children in overcrowded school districts east of Rock Creek Park to underpopulated schools west of the Park. 5. The defendants, by October 2, 1967, to file for approval by the court a plan for pupil assignment eliminating the racial and economic discrimination found to exist in the operation of the Washington public school system. 6. Substantial integration of the faculty of each school beginning with the school year 1967-68. 7. The defendants, by October 2, 1967, to file for approval by the court a teacher assignment plan fully integrating the faculty of each school.

The United States is invited to intervene in these proceedings to assist in implementing the decree, to suggest changes in the decree, and to take whatever other steps it deems appropriate in the interest of public education in the District of Columbia.

#### FINDINGS OF FACT

##### I. Student segregation

A. De Jure Segregation and *Bolling v. Sharpe*

Until 1954 the public schools in the District of Columbia were racially segregated by

\*Sitting by designation pursuant to 28 U.S.C. § 291(a).

Issue of Rose not  
absent from any neighbor  
hood in the U.S.



# Skelly Wright's Sweeping Decision

In a long, passionate opinion in the case of *Hobson v. Hansen*, Judge J. Skelly Wright of the US Court of Appeals for the District of Columbia, sitting by assignment as a District Judge, has roundly indicted the Washington school system and its superintendent, Dr. Carl F. Hansen, declaring the former, and quite possibly also the latter, unconstitutional. The opinion is a jeremiad and as such commands respect. The inner city of Washington, with its slums, its poverty, its juvenile crime and its schools, is a disgrace. Against this, Judge Wright cries out, from the heart. But Judge Wright is a judicial officer administering the Constitution, and the Constitution does not put at the disposal of judges the resources to prevent, abolish, or even alleviate poverty, juvenile delinquency, slum housing, or rotten schools.

The Constitution forbids segregation enforced by law and requires federal judges to remove its vestiges. This involves no making of educational policy, and certainly no effort to rearrange a deteriorating social and economic environment. It involves removing the coercive force of the state as a cause of segregation, and then neutralizing its lingering effects. But with very few exceptions, federal judges other than Judge Wright have felt unable to tackle situations of massive *de facto* segregation in major urban centers. They have failed to act, because, as Judge Wright unwittingly demonstrates, they have no well-developed body of principles to fall back on in reforming such educational institutions as the neighborhood schools. They enter, in the area of *de facto* segregation, territory that is unfamiliar to them, in which they are not entitled to have special confidence in whatever answers they may evolve, for these are likely to reflect no more than their own personal preference or orders of priority. There was, in contrast, a good bit of history and principle to fall back on in deciding that legal segregation, coerced by the state, was unconstitutional. Judges have failed to act also because, even if they knew some answers, they would still lack the resources – the money, the personnel, the machinery – to put them into effect. This is not a question of being obeyed. Law always runs the risk of being disobeyed, as *Brown v. Board of Education* often was. That case, however, was a "stop" order. When courts undertake to issue a "go" order, as Skelly Wright has done, they need resources which are not at their disposal.

Judge Wright's indictment of the superintendent and the school administration is rife with imputations of bad faith, but in the end it comes to rest on a charge of complacency only, not on a charge of intentional

segregation. He condemns as unconstitutional the track system, optional school zones, teacher assignment practices, and in some measure the entire neighborhood school policy, but he does not quite come to hold that these features of the Washington school system were instituted or maintained in order to perpetuate segregation in the schools.

It seems quite clear to Judge Wright that the optional zones, for example, operate to allow white children in a relatively integrated neighborhood to escape from a predominantly Negro school into an integrated, but substantially white school. And yet it is far from clear that if the optional feature of the zones were removed, the result might not be more segregation than at present, either because rigid neighborhood lines would have that effect, or because more whites would simply flee. Moreover, the option is available not only to whites but to Negroes, and is availed of in some measure by both. Despite his imputations of bad faith, Judge Wright fails to prove his case concerning the optional zones.

One of the purposes of the track system of ability grouping is the remedial one of helping the slow and disadvantaged student. Another is to permit the quick to advance at their own pace. Judge Wright makes a persuasive case against the system as it operates in Washington. It is too rigid, it tends to validate its own predictions, which in turn are made on the basis of tests that yield much less certain a measure of true ability than is often supposed; and it does not fulfill its remedial purpose, because it is not supported by sufficient remedial resources. No doubt it could be improved and perhaps it should be abandoned. The difficulty comes in declaring a well-intentioned – and debatable – educational policy unconstitutional, either because one deems it wrong, or maladministered, or, for whatever reasons, a failure. If this is the function of the Constitution and of our judges, they have their work cut out for them.

Another portion of Judge Wright's opinion deals with supposed inequalities in facilities and quality of instruction between predominantly Negro schools in the District and the few predominantly white ones. Here there is no doctrinal difficulty. Whatever the intention behind them, demonstrable inequalities in treatment at the hands of government that run along racial lines are unconstitutional. They were well before *Brown v. Board of Education*. The prior constitutional doctrine commanded equality in separation. The Constitution now forbids separation, but it has not abandoned the goal of equality. So the issue is a factual one.





As to physical facilities, the evidence seems to be neither here nor there. Negroes are vastly in the majority in the Washington school system, and in consequence they occupy some of the oldest and some of the newest buildings. But Judge Wright makes out a persuasive case concerning the distribution of teachers in the District.

The predominantly white schools have apparently had more than their share of experienced, tenured teachers. Whether this is a real advantage may be questionable, and the school administrators in Washington apparently do question it. But since experience is a criterion of competence in most professions, it is not easy to see why it should be discarded in the teaching profession. At any rate, the decisive consideration is that the Washington school system has not discarded it, but has simply tolerated a smaller proportion of experienced teachers in Negro schools.

Judge Wright is also persuaded that there is a substantial disparity in per capita expenditures per pupil among white and Negro schools, with greater expenditures, of course, in the white schools. To the extent that the disparity is real, it seems to be a function of the greater proportion of tenured – and hence higher salaried – teachers in the predominantly white schools. So it scarcely proves anything additional to that.

Finally, though faculties and other school personnel are integrated in Washington, Judge Wright finds that white teachers tend to be assigned to white schools and Negro teachers to Negro schools. It is natural that in a school system with over 90 percent Negro pupils there should be a great majority of Negro teachers; and so there is – some 78 percent. Given these two large percentages, it is a mathematical certainty that there will be great concentrations of Negro teachers in predominantly Negro schools. And many Negroes feel – they made that clear in the dispute about School 201 in Harlem – that Negro pupils *should* have Negro teachers, who should displace as authoritative figures the white teachers who predominated in the past. Be that as it may, the preferences of white teachers for white middle-class schools do seem in some measure to have been informally respected by the Washington school administrators.

#### *Declaring De Facto Segregation Unconstitutional*

Judge Wright deals with these matters by forbidding the track system outright, and ordering abolition of the optional zones. As to teachers, he orders the Board to present a plan for teacher assignment which will fully integrate the faculty of each school. Since many of the white schools in the Northwest section are underpopulated, he orders the school administration to provide busing to the Northwest schools for such

children in overcrowded, predominantly Negro schools, as volunteer for it.

But all this is, relatively speaking, less important detail. The main and most innovating thrust of Judge Wright's opinion is the proposition, which he adopts more squarely than any court has yet done, that *de facto* segregation as such is unconstitutional. And what does he propose to do about that? "Because of the 10-to-1 ratio of Negro to white children in the public schools of Washington," Judge Wright says, "and because the neighborhood policy is accepted and is in general use throughout the United States, the court is not barring its use here at this time." However he requires the school system to prepare and present to him a plan "to alleviate pupil segregation," and to "consider the advisability" of educational parks, school pairings, "and other approaches toward maximum effective integration." But what kind of maximum effective integration can there be in a school system in which Negroes constitute over 90 percent of the school population, and in which they may well ultimately constitute even more? In tacit recognition of this unanswerable question, Judge Wright adds that he will require efforts at compensatory education, to provide equal opportunities even in predominantly Negro schools. But how is Judge Wright going to see that effective methods of compensatory education are invented, how is he going to produce the trained personnel to apply them, and how, even if he could guarantee success, is he going to see to the financing of these efforts?

Here, then, is the heart of the matter. Judge Wright's remedy for conditions that he found to be unconstitutional is still in an early stage of development, but it is reasonably clear that he, no more than anyone else, has a remedy or can put one into effect. What then is the use of such judgments? What is the use of a hortatory constitutional pronouncement urging Washington, D.C., to solve its social and economic problems? Judge Wright's opinion might have been a document issued by some group of civic leaders, or some foundation or research organization, and whatever disagreement one might have had with this or that aspect of it, one would have welcomed its attention to the school problem. But the Constitution and the judges who guard it have a well-defined role to play, which no one else can play. They are to address themselves to those features of the society with which law can deal, by defining rights, obligations and goals. No charitable organization and no study group can do that job, can invoke the power of government to those ends. It is no service to any worthy cause to saddle legal institutions with functions they cannot discharge, and to issue in the name of the law promises the courts cannot redeem.

ALEXANDER M. BICKEL





## HOW GOOD ARE OUR SCHOOLS?

By Caryl Conner and Richard de Neufville

**H**ow good are our schools? How much do they teach our youngsters? Are schools in Maine as good as schools in California? Better? How do we tell?

Questions like these have become a pastime that threatens to supplant baseball as a national sport, says Helen Rowan, editor of *The Carnegie Quarterly*. The name of the game: How Good Are Our Schools? (Some players, notes Miss Rowan, prefer to call it How Bad Are Our Schools?) The rules are few: each player propounds his favorite opinion on education. He may say, "Kids learned to read better 50 years ago than they do today," or, "Northern schools are good and southern schools are lousy."

The beauty of it, continues Miss Rowan, is that anybody can win, since there is no way of proving or disproving the above or any similar assertion.

Miss Rowan's fancy is unfortunately close to truth. In the absence of meaningful information, public opinion about schools has rested largely on subjective judgment and popular impression.

While citizens debate, however, a number of Government agencies have been quietly stockpiling data that may bring the new game down for the count and leave baseball once again unchallenged.

By far the largest stockpiler of information is the Army's Office of the Surgeon General, which can tell us the following about some hypothetical young men:

Joe Dangerfield and John Dangerfield are among approximately 2 million young men taking the Armed Forces Qualification Test (AFQT) and related examinations this year.

Both are 18 and white. Yet, statistically Joe is eight times as likely to fail the tests

as John. Why? John went to school in Washington. Joe went to school in Tennessee.

David Coldstream and Dick Coldstream are taking the same tests. Both are 18 and Negro. David is three times as likely to fail the tests as Dick. David went to school in South Carolina; Dick in Rhode Island.

Bill Hardwood and Bob Hardwood will take the same tests. Both are 18. Bill is white and Bob is Negro. Both went to school in Florida. Bob is four times as likely to fail this test as Bill.

What are the Armed Forces mental tests, and what do they have to do with schools?

The basic test in the Armed Forces is the AFQT. All draftees and enlistees are required to take it before entering any branch of the military services. It is a standard examination administered on a uniform basis throughout the country.

In the last 10 years, over 10 million young men aged 18 to 26 have taken the AFQT. This is the largest group of standardized test scores that has ever been available for State and regional comparison.

For these reasons, these mental test results are the closest thing there is to a national index of educational strengths and weaknesses. Though the narrowness of range and the imprecision of scoring limit the test's usefulness for educators (it doesn't, for example, break down categories of information; it doesn't say that 40 percent of failing 18-year-olds from Ohio were strong in math but weak in vocabulary), for the general public the AFQT and the related tests are the best available indicator of State-by-State school performance.

The absence of basic educational information is one of the odd phenomena of contemporary America. As a Nation, we have

developed highly sophisticated techniques to measure such disparate things as the purity of our water, the health of our economy, and the popularity of our public figures, but there has never been a measure of the basic academic skills of our children. We know the gross national product; we do not know the gross educational product.

When the Office of Education was established a century ago, Congress directed it to collect "such statistics and facts as shall show the condition and progress" of American education. Today the Office can accurately report the number of classrooms, teachers, pupils, books, globes, and language laboratories per pupil in every school in this country. But it doesn't know what students learn in these schools, or whether they learn it better or worse than students of 50 years ago. We know infinitely more about steel production in Pittsburgh, garment prices in Dallas, and the status of beef raising in Iowa than we do about the level of English or math proficiency anywhere in the Union.

Why? Two reasons predominate.

**A**ny evaluation, points out Assistant Commissioner of Education Alexander Mood, is painful unless you are very sure of your score. The evaluator is more and more beset by doubts that he is being fair as the score decreases. Those being evaluated know darn well he is not being fair! There is always the awful knowledge that half of the evaluated will fall below the national median. And what educator wants bad marks on his report card, asks Mr. Mood.

Hardly anybody can win. The district that rates very high in the natural sciences may rate very low in the humanities—or vice versa.





Secondly, testing itself is a surprisingly thorny issue. Standardized tests are classified according to what they are intended to measure: intelligence, aptitude, scholastic achievement, or personal characteristics. They have been used and abused ever since Binet published the first intelligence test in 1905. Educators endlessly dispute the relative merits of one kind of test over another: Are IQ (increasingly called "aptitude") tests better than achievement tests? Better for what? Do IQ tests really measure intelligence? Do achievement tests really measure achievement?

Actually, these two kinds of tests are less different than is commonly supposed. Any test reflects the quality and quantity of experience a student has been exposed to. Abilities are presumed to be common to children regardless of their schooling. Achievement is assumed to reflect the amount learned in school. In both, however, test scores are the product not only of the individual's inherited potential, but of his environment and the opportunities within his own experience. Pounds of published documents relate the difficulty of developing a culture-free test. There are no culture-free tests.

Nor is there any single kind of intelligence. Explained David Wechsler in the *New York Times*: An educator may define intelligence as the ability to learn, a biologist as the ability to adapt, a psychologist as the ability to reason abstractly, and the layman as plain common sense. The difficulty, Wechsler continued, is similar to what a physicist encounters when asked what he means by energy, or a biologist what he means by life. The fact is that energy and life are not tangible entities. You cannot touch them or see them. You know them only by their effects or

properties, and the same is true of general intelligence.

Whatever their value, tests have become an integral part of our statistic-happy American way of life. Colleges use them to determine admissions; industry uses them to make personnel decisions; TV programs use them to build ratings; party givers use them to entertain guests. The Armed Forces use the AFQT in connection with personnel assignment as well as in acceptance of draftees and enlistees.

Seymour L. Wolfbein, the former director of the Office of Manpower, Automation, and Training in the Department of Labor, called the AFQT "an excellent device for identifying persons with special educational and training problems." A report by the President's Task Force on Manpower Conservation called the AFQT "a uniform national test" which "has the potential for providing the communities of the Nation with an important comparison and indicator . . . which would be difficult indeed to create if it did not already exist." Stafford L. Warren, former special assistant to the President for Mental Retardation, agreed on the great value of the AFQT as a means of identifying persons in need of special training.

The Army has used the experiences of half a century of testing in developing the AFQT, which, by law, is used to screen American youth for all branches of the Armed Forces. It follows a long line of other tests. In World War I, the Army Alpha (verbal) and Beta (nonverbal) tests were used. During World War II the Army used the AGCT (Army General Classification Test). The AFQT, designed and first used in 1950, has undergone frequent revision. The current versions

cover, as have their predecessors since 1953, four subject areas: vocabulary, arithmetic, spatial relationships, and mechanical ability. There are 25 questions in each category. Questions are arranged in cycles of increasing difficulty in each of the four test areas. Fifty minutes are allowed. It is a "spiral omnibus" test emphasizing power rather than speed. The Army says it is not an intelligence test nor does it measure educational attainment as such, "although both education and intelligence affect the ability to score well on the test."

"In general," says a report from the Surgeon General of the Army, "there is a positive correlation between AFQT scores and education. The youth's score on the AFQT depends on several factors: on the level of his educational attainment, on the quality of his education (quality of his school facilities), and on the knowledge he gained from his educational training otherwise, in and outside of school. These are interrelated factors, which vary with the youth's socio-economic and cultural environment, in addition to his innate ability to learn."

#### Scoring

Raw scores on the AFQT are computed by subtracting one-third of an examinee's mistakes from his total correct answers—a procedure adopted to compensate for lucky guesses. To supply meaning to the scoring and to simplify comparisons, the raw score is converted into a percentile score that theoretically establishes the examinee's relative standing in the whole draft age population. (These relative standings are based on norms established a generation ago, during World War II. They have never been updated.) On the basis of



this percentile score, men are classified into one of five mental groups:

Mental group	Percentile score
I	93 - 100
II	65 - 92
III	31 - 64
IV	10 - 30
V	0 - 9

Groups I, II, and III automatically meet mental standards for military service. (Some of these men are disqualified for medical reasons. Data in this article relate only to acceptance or rejection on the basis of mental tests scores. Total rejection rates are higher than those that appear here.)

Under the Universal Military Training and Service Act, men in mental Group V are considered unfit for military service unless their educational or occupational background seems to indicate that they should not have failed the test. In such cases there is a "terminal screening" and if its findings are at variance with the test score, the examinee is declared "administratively acceptable" and classified 1-A. (Last year about 3,000 young men entered the Army this way.)

Procedures for Group IV vary according to the Army's manpower needs. Currently, all Group IV's who score above the 16th percentile *and have completed high school* are accepted for military service. All other men in Group IV take additional aptitude tests called the Army Qualification Battery (AQB). Failing scores on the AQB result in a "trainability limited" classification.

These men would qualify for military service only in time of war or national emergency.

(A new program just announced by Secretary of Defense Robert McNamara will take an additional group of men in mental Group IV (40,000 this year, 100,000 annually in subsequent years) and provide them with basic literacy training to enable them to qualify for military service. Precedent is the successful literacy training program conducted under Army auspices during World War II.)

Rejectee figures in this article include all Group V's except administratively acceptables, and all Group IV's who were given the AQB and failed. (Scores in mental Group IV are roughly equivalent to what an employer might expect of a job applicant with an eighth grade education; those in Group V to what he might expect of a man with less than a fifth grade education. The Census Bureau defines the latter as functionally illiterate.)

AFQT's and AQB's are administered at 74 Armed Forces Examining and Entrance Stations (AFES) throughout the United States. In a monthly report to the Surgeon General of the Army, the AFES report the number of young men examined and their mental classification both by State and—in a departure from usual procedure—by race.

The AFES data are summarized annually in the report, *Results of the Examination of Youths for Military Service*, published by the Office of the Surgeon General, Army. Additionally, the annual report for 1965 included a comprehensive analysis of 383,000 18-year-olds examined under the Conservation of Manpower program initiated in June 1964 and terminated in December 1965. This is the largest and most homogeneous population studied so far.

By now the Surgeon General's Office has

accumulated enough data to provide a detailed State-by-State outline of successes and failures that reveals sharply uneven performance both by State and by race. The study of 18-year-olds, for example, shows that:

- Failure rates on the AFQT and related tests ranged from a low of 6 percent in the State of Washington to a high of 55 percent in the District of Columbia. (The national average was 25 percent.)

- These rejection rates based on the mental tests are lowest in the Midwestern and Western States; highest in the South.

An unpublished supplement to the study, showing detail by race, reveals that:

- Southern whites are behind whites in all other regions of the country; southern Negroes are behind Negroes in all other regions of the country.
- In every State, test performance is significantly higher for whites than for Negroes. Nationally, only 19 percent of the whites fail the mental tests, compared to a failure rate of 68 percent for Negroes.

In addition, a special Department of Labor study of the academic background of 2,500 rejectees shows that:

- Negroes who fail the AFQT average one more year of school than whites; characteristically they have had some high school experience while most white failures have not.

An examination of accumulated data on rejectees in the period from 1958 through 1965 supports findings from the study of 18-year-olds. Men from the Western and Midwestern States consistently performed best on the mental tests; men from the South consistently scored lowest. Throughout the eight-year period, moreover, the rank order of the States changed only slightly and the spread of percentage points between the States with the lowest failure rate averages (Wash., Iowa, Mont., Utah, Minn., Oreg.) and those with the highest averages (Miss., S.C., La., N.C., Ala., Ga.) has remained about the same. (See tables, page 8.)

The eight-year cumulative results for





draftees differ only in minor detail from the results of the study of 18-year-olds. (See tables, page 8.)

Over a long period of time, the draftee rejection rates more accurately reflect regional differences in performance by young men. But, by excluding enlistees, these figures exaggerate the inadequacy of national performance on the AFQT. Enlistees, prescreened by local recruiters before taking the test, seldom fail the AFQT. Since a majority of all men who enter the Armed Forces enter as enlistees, the overall rejection rate (enlistees plus draftees) is substantially less than for draftees alone.

Failure rates clearly and consistently relate to geographical areas. Year after year, men from the West and the Midwest perform better than those from other parts of the country. In the special study of 18-year-olds, their failure rate was only half the national average, while men from the South were failing at twice the national rate.

The same regional differences appear in a study of draftee failures by race:

Draftee failure rate (by percent) FY 1966			
Army area	All White Negro		
III (South)			
Ala., Fla., Ga., Miss., N.C., S.C., Tenn. ....	31	18	68
IV (South Central)			
Ark., La., N. Mex., Okla., Texas.....	20	12	57
I, II (Northeast)			
Conn., Maine, Mass., N.H., N.J., N.Y., R.I., Vt., Del., D.C., Ky., Md., Ohio, Pa., Va., W. Va.....	15	12	45
V, VI (Midwest and West)			
Colo., Ill., Ind., Iowa, Kans., Mich., Minn., Nebr., N. Dak., S. Dak., Wis., Wyo., Ariz., Calif., Idaho, Mont., Nev., Oreg., Utah, Wash. ....	10	8	37

(Source: Results of Preinduction Examination Summary, Office of the Surgeon General, Department of the Army.)

Throughout the United States the failure rate of whites on these examinations averages one-fourth that of Negroes. The exception is West Virginia where whites and Negroes fail in equal—and substantial—numbers. In every other State the Negro failure rate is at least twice that of the white failure rate.

Among successful examinees—men who pass the tests—whites also do much better than Negroes. Fewer than one-twentieth as many Negroes score in mental Group I as would be expected on the basis of the theoretical norms for the standard population. More than two-thirds of the Negroes examined for military service in 1966 fell in Group IV or below. By theoretical distribution, 69 percent would fall in Groups I, II, and III; less than 22 percent of the Negroes did so. Specifically:

Estimated percentage distribution of draftees by mental group, by race: FY 1966

Mental group	White	Negro	Total
I.....	7.6	0.3	6.7
II.....	32.1	3.3	28.8
III.....	34.6	18.2	32.8
IV.....	16.0*	38.2*	18.5*
V.....	9.1	37.1	12.3
Admin. acceptable.....	0.6	2.9	0.9

\* Mental group IV consists of (a) white—9.4% passed AQB, 6.6% failed AQB (trainability limited); (b) Negro—17.5% passed AQB, 20.7% failed AQB (trainability limited); (c) total—10.3% passed AQB, 8.2% failed AQB (trainability limited).

(The illustrations and accompanying table below are derived from the table above by subtracting the failing group and redistributing percentages.)

Impact of Poverty

These test results mirror America's erratic progress toward its elusive goal of educational equality. They also reflect the host of disturbing social and economic problems that face the Nation: For example, the 1963 Department of Labor study reported that the ma-

jority of young men failing the AFQT, white and Negro alike, were the products of poverty. Forty percent of them had never gone beyond grammar school, four but of five didn't finish high school, almost one-third came from broken homes, and one-fifth came from families that have needed public assistance. The unemployment rate for rejectees was substantially higher than for other young men in the same age group, and most of those who were employed held unskilled jobs and had by far the lowest earnings in their age group.

Clearly this suggests a relationship between failing scores on the mental tests and the environment of poverty, just as the regional extremes point to a serious inequality of educational opportunity.

The most relevant index for appraising the quality of education in a community is the degree to which it provides the basic knowledge and skills that are required in our contemporary world. AFQT results tell a great deal more than the number of men who are not qualified intellectually to enter the Armed Forces. These same young men are equally unqualified to become contributing members of our work force. They have not been educated to provide for themselves and their families.

"Today's military rejects include tomorrow's hard-core unemployed," said President John F. Kennedy. "The young man who does not have what it takes to perform military service is not likely to have what it takes to make a living."

The rejection rate on the AFQT is not an infallible guide, but it is impressive evidence of failure by many schools. The grown man who cannot pass the AFQT is in serious trouble. This test does not measure innate intelligence or scholastic aptitude—it measures precisely those skills that are most important in terms of jobs and income.





With rare exceptions, those who fail have had all the formal schooling they are going to get. Only four percent of the rejectees the Department of Labor studied in 1963 had taken business or commercial courses and only 17 percent had taken vocational or technical courses. The substantial majority of rejectees had been in academic courses—but their most common deficiency on the AFQT was apparently that they could not read or do simple arithmetic.

The extreme variations in regional performance clearly suggest that schools have not erased inequality based on accidents of geography; the extreme racial variations make it clear that the schools have yet to overcome the environmental handicaps of the Nation's Negro students. It is unlikely that the talent pool in any one State is substantially different than the talent pool in any other State. It is a demonstrable fact that the talent pool in any one ethnic group is substantially the same as that in any other ethnic group.

"There is absolutely no question of any genetic differential," says a special Department of Labor Report on the Negro Family. "Intelligence potential is distributed among Negro infants in the same proportion and pattern as among Icelanders or Chinese or any other group."

In every generation talent appears at every social stratum in every geographic area. "In every race, nation, class, and community, better and worse endowed individuals can be found," wrote anthropologist Juan Comas. "This is a biological fact to which there are no exceptions."

Thus the AFQT results seem to point up failure in the schools. Whatever the combination of nonschool factors—poverty, unstable families, community attitudes, low educational level of parents, etc.—which put minority group students at a disadvantage in verbal and nonverbal skills when they enter first grade, it is clear that the schools do not overcome them, notes a just-completed report by the U.S. Office of Education.

The OE report is based on a study of educational opportunity that included achievement testing of as many as 135,000 students at one of five way-points in their educational career—first, third, sixth, ninth, and twelfth grades. At each grade level the Negro pupils scored distinctly lower than did white students but most important to note is that by the twelfth grade the difference had *increased*.

For example, Negroes were 10.7 points below whites in nonverbal scores in the first grade. By twelfth grade this gap had grown to 11.1 points. In verbal scores, the gap widened from 7.2 points in first grade to 11.2 points by twelfth grade.

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**THE PRICE OF POOR SCHOOL SUPPORT**  
*is poor education. Military rejection rates for each Army area are shown for calendar year 1965 and related to what the schools in each of the areas were providing for current expenditures per pupil in average daily attendance (ADA) in school year 1964-65. Data are for 48 States and the District of Columbia. Averages are: 20.9% mental test failures nationally; \$483 current expenditures per pupil in ADA.*

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Thus, whatever the degree of inequality when the youngster enters the school system, it is greater when he leaves. The schools not only fail to close the gap, they don't even enable Negro students to hold their own.

The overall differences mentioned should not obscure the fact that many Negro children outperform white children. Additionally, by grade 12, both white and Negro students in the South scored lower on these tests than did white and Negro students in the North. Also, southern Negroes scored farther below southern whites than did northern Negroes below northern whites—a regional finding that correlates with the Armed Forces mental test results. (The OE study reports only regional data; by prior agreement with chief State school officers it does not reveal State-by-State test results.) The OE study also found that the average white student's achievement is less affected by the strength or weakness of his school than is that of the average Negro student.

Although there is no wholly consistent pattern, in general the study found that Negroes are offered fewer of the facilities that are most related to academic achievement (i.e., physics, chemistry, and language laboratories; libraries; textbooks; etc.). Usually greater than the majority-minority differences, however, are the regional differences.

The OE survey shows, for example, that white children generally attend elementary schools with a smaller average number of pupils in their classrooms (29) than do any of the Negroes (32). The regional breakdowns, however, show that in the Southwest the Negroes average 39 pupils per room compared to 26 per room for whites. Twice as many Negro high school students in the metropolitan Far West attend schools with language laboratories as do their counterparts in the metropolitan South (95 percent versus 48 percent; for whites it is 80 percent versus 72 percent). One hundred percent of Negro high school students in the metropolitan Far West have access to a remedial reading teacher, compared with 46 percent in the metropolitan South.

Overall, Negro students are less likely to attend secondary schools that are accredited, they have less access to college preparatory curriculums, and their teachers have weaker academic credentials.

Since it is as axiomatically true in education as elsewhere that you get what you pay for, the correlation between this data, expenditure tables on pages 8 and 9, and the Armed Forces test results is no surprise—but neither is it very informative. It serves only as a fever gauge, saying that the patient is ill, but unable to identify his malady.

Far more precise diagnostic tools are needed to pinpoint what is happening in the Nation's schools, to show what children actually learn and when and how well they learn it.

For this reason the Carnegie Corporation two years ago organized a top level committee to look into the question of whether there could or should be a national assessment of education. The committee (a private non-profit corporation) has concluded that such an undertaking would be not only feasible, but desirable. The project has progressed from the proposal to the planning stages.

A large part of the impetus toward national

assessment stems from the increasing Federal investment in education. Congress and the American taxpayer want to know what the Nation is getting for its money—and not in terms of things bought but in terms of educational increments.

Twenty years ago such an assessment would have been so large an undertaking as to make it almost impossible. Today, the theory and technology of statistical sampling is so far advanced that Richard Scammon, former director of the Bureau of the Census, says a random sample of one-half of one percent of the population can provide data statistically accurate within a few percentage points.

The Carnegie committee would sample five percent of children in the 9, 13, and 17 age brackets and 29-year-old adults. The 9-year-olds represent children who are expected to have achieved the goals of primary education; the 13-year-olds, elementary; and the 17-year-olds, secondary. Adults would be surveyed for comparative purposes because they represent the major factor in determining the educational level of the Nation.

No participating pupil, teacher, or school would be identified. Breakdowns would be by sex, by ethnic group, by socio-economic level, by geographic region, and by rural, urban, and suburban residence. The committee proposes periodic assessments every three or five years.

It would be impossible to teach to the test, points out Committee Chairman Ralph Tyler. A teacher would be extremely unlikely to have more than one pupil tested in a five-year period, and that pupil would take only a small portion of the whole test—which is expected to require 20 hours for completion and to include seven subject areas: reading, language arts, mathematics, social studies, citizenship, fine arts, and vocational education. Prototype tests, being developed by leading educational research firms under contract to the committee, will be ready for field testing early next year.

Such tests, if applied nationwide, could provide a consistent and comprehensive account of the accomplishments of the Nation's educational system. The general public could, for the first time, get a report of what tax dollars buy in educational achievement.





# STATE RANKINGS OF EDUCATION INDICATORS SHOW SIMILARITY IN PERFORMANCE

				Median school years completed by persons 25 years old and older: 1960					Percent of public school classroom teachers paid \$6,500 or more: 1965-66		
Estimated percent of illiteracy in population over 14: 1960		Pupil-teacher ratio in public schools: Fall 1965		All	White	Non- white	Estimated current expendi- ture per pupil in average daily attendance in public schools, by State: 1956-66				
				1. South Carolina	8.7	10.3	5.9	1. Mississippi	\$317	1. Mississippi	0.6
				Kentucky	8.7	8.7	8.2	2. South Carolina	349	2. South Dakota	2.0
				3. West Virginia	8.8	8.8	8.4	3. Alabama	355	Kentucky	2.0
				Tennessee	8.8	9.0	7.5	4. Tennessee	361	4. South Carolina	2.5
				Louisiana	8.8	10.5	6.0	5. West Virginia	367	5. West Virginia	2.8
				6. North Carolina	8.9	9.8	7.0	6. Kentucky	375	6. Arkansas	4.0
				Mississippi	8.9	11.0	6.0	7. Arkansas	376	7. Alabama	5.0
				Arkansas	8.9	9.5	6.5	8. North Carolina	379	8. Oklahoma	6.0
				9. Georgia	9.0	10.3	6.1	9. Georgia	384	9. Tennessee	8.0
				10. Alabama	9.1	10.2	6.5	10. Idaho	400	10. North Carolina	8.8
				11. North Dakota	9.3	9.3	8.4	11. Maine	410	11. Idaho	9.5
				12. Missouri	9.6	9.8	8.7	12. Nebraska	419	12. Georgia	11.0
				13. Virginia	9.9	10.8	7.2	13. Virginia	424	13. North Dakota	12.2
				14. Rhode Island	10.0	10.0	9.5	14. Florida	439	14. Nebraska	12.5
				15. Pennsylvania	10.2	10.3	8.9	15. Texas	449	15. Maine	15.3
				16. Wisconsin	10.4	10.4	9.0	16. Utah	459	16. Texas	15.8
				Texas	10.4	10.8	8.1	17. North Dakota	460	17. New Hampshire	17.1
				South Dakota	10.4	10.5	8.6	18. New Hampshire	479	18. Montana	17.8
				Oklahoma	10.4	10.7	8.6	19. Louisiana	481	19. Virginia	19.5
				Maryland	10.4	11.0	8.1	Oklahoma	481	20. Vermont	20.0
				21. Illinois	10.5	10.7	9.0	21. Missouri	485	Louisiana	20.0
				UNITED STATES	10.6	10.9	8.2	22. Ohio	503	22. Kansas	20.5
				(U.S. 1964)	11.7		8.9	23. South Dakota	507	23. Missouri	24.0
				22. New Jersey	10.6	10.8	8.8	Vermont	507	24. Iowa	25.0
				23. New York	10.7	10.8	9.4	25. Kansas	511	25. Florida	33.0
				24. Minnesota	10.8	10.8	9.1	26. Indiana	512	26. Ohio	37.5
				Michigan	10.8	11.0	9.1	27. Colorado	513	27. Colorado	39.1
				Indiana	10.8	10.9	9.0	28. Arizona	514	28. Wyoming	40.3
				27. Vermont	10.9	10.9	10.5	29. Hawaii	514	29. Wisconsin	41.0
				Ohio	10.9	11.0	9.1	30. Michigan	523	UNITED STATES	41.3
				New Hampshire	10.9	10.9	11.7	31. Nevada	528	30. Utah	42.1
				Florida	10.9	11.6	7.0	32. Massachusetts	530	31. Pennsylvania	43.4
				31. Maine	11.0	11.0	10.7	UNITED STATES	532	32. New Mexico	45.9
				Connecticut	11.0	11.1	9.1	33. Iowa	549	33. Rhode Island	46.5
				33. Delaware	11.1	11.6	8.4	34. Wyoming	551	34. Hawaii	47.0
				34. New Mexico	11.2	11.5	7.1	35. Maryland	552	35. Oregon	47.7
				35. Iowa	11.3	11.3	9.5	36. Washington	556	36. Minnesota	49.0
				Hawaii	11.3	12.4	9.9	37. Pennsylvania	565	37. Illinois	51.2
				Arizona	11.3	11.7	7.0	38. Montana	567	38. New Jersey	55.2
				38. Nebraska	11.6	11.7	9.6	39. Wisconsin	575	39. Maryland	56.0
				Montana	11.6	11.7	8.7	40. Rhode Island	576	Indiana	56.0
				Massachusetts	11.6	11.6	10.3	41. Minnesota	577	41. Michigan	56.2
				41. Kansas	11.7	11.8	9.6	42. Dist. of Columbia	578	42. Connecticut	56.5
				Dist. of Columbia	11.7	12.4	9.8	New Mexico	578	43. Washington	57.0
				43. Oregon	11.8	11.8	9.9	44. Delaware	580	Nevada	57.0
				Idaho	11.8	11.8	9.6	45. California	582	45. Massachusetts	58.5
				45. Wyoming	12.1	12.1	9.3	46. Illinois	591	46. Arizona	60.0
				Washington	12.1	12.1	10.5	47. Oregon	612	47. Delaware	61.0
				Nevada	12.1	12.2	8.8	48. Connecticut	637	48. California	77.0
				Colorado	12.1	12.1	11.2	49. New Jersey	662	49. New York	79.0
				California	12.1	12.1	10.5	50. Alaska	775	50. Alaska	94.8
				Alaska	12.1	12.4	6.6	51. New York	876	(Source: NEA Research Di- vision. Rankings of the States, 1966 Copyright © 1966 by the National Educa- tion Association. All rights reserved.)	
				51. Utah	12.2	12.2	10.1	(Source: Office of Education)			
				(Source: Census Bureau)							





# The Same States Lead or Lag in Various Sectors: Literacy Level, School Expenditures, Military Test Failures, Teacher Salaries . . .

		Draftee failures on Armed Forces mental tests (by percent)	
		Aug. 1958— Dec. 1965	1965
Percent of voting age population participating in Presidential elections: 1964			
1. Mississippi	33.3		
2. Alabama	36.3		
3. South Carolina	39.3		
4. Virginia	42.9		
5. Georgia	44.8		
6. Texas	45.3		
7. Louisiana	47.9		
8. Arkansas	50.4		
9. Tennessee	51.6		
10. North Carolina	53.0		
11. Florida	53.8		
12. Kentucky	54.1		
13. Arizona	55.5		
14. Maryland	57.0		
15. Nevada	57.1		
16. Alaska	62.2		
UNITED STATES	62.8		
17. New York	63.4		
18. Oklahoma	63.5		
19. New Mexico	65.4		
20. Kansas	66.0		
Hawaii	66.0		
22. California	66.1		
23. Ohio	66.7		
24. Maine	66.9		
25. Nebraska	67.6		
26. Vermont	67.9		
27. Missouri	68.0		
28. Pennsylvania	68.1		
29. Michigan	69.1		
30. New Jersey	69.2		
31. Colorado	69.7		
32. Oregon	69.8		
33. Wisconsin	70.7		
34. Rhode Island	71.1		
35. Montana	71.2		
36. Massachusetts	71.7		
37. Connecticut	72.1		
38. Iowa	72.3		
39. Delaware	72.5		
40. Washington	73.0		
41. South Dakota	73.4		
42. North Dakota	73.8		
New Hampshire	73.8		
44. Indiana	74.1		
45. Illinois	74.3		
46. Wyoming	74.5		
47. West Virginia	75.1		
48. Idaho	76.5		
49. Minnesota	76.8		
50. Utah	77.3		
(Source: Dept. of Commerce)			

		Draftee failures on Armed Forces mental tests (by percent)	
		Aug. 1958— Dec. 1965	1965
U.S. average		23.4	20.2
Mississippi		57.3	37.0
South Carolina		53.2	48.2
Louisiana		45.2	36.2
North Carolina		42.5	41.1
Alabama		42.3	38.5
Georgia		41.3	41.2
Arkansas		38.4	25.3
Tennessee		36.3	31.8
Dist. of Columbia		35.6	34.1
Virginia		33.8	28.9
Kentucky		33.5	26.5
West Virginia		31.3	27.8
Florida		31.1	25.5
Maryland		27.1	24.1
Texas		25.7	22.9
Delaware		25.4	21.9
New York		24.4	20.4
New Mexico		24.0	25.1
Hawaii		23.1	23.0
New Jersey		22.8	16.5
Maine		20.7	18.3
Arizona		19.7	20.2
Illinois		19.1	16.0
Connecticut		18.4	16.8
Missouri		17.7	17.1
Nevada		17.5	14.5
California		16.3	14.8
Pennsylvania		15.5	13.9
Oklahoma		15.3	16.5
Michigan		15.3	14.1
Ohio		14.7	14.0
Vermont		14.4	11.3
Massachusetts		14.1	12.9
Indiana		13.8	10.8
New Hampshire		13.4	9.5
Rhode Island		13.1	8.9
Alaska		12.9	13.8
Colorado		12.2	13.9
Wisconsin		10.6	9.3
South Dakota		10.6	10.5
North Dakota		9.7	9.7
Kansas		9.4	10.2
Nebraska		9.1	8.7
Idaho		8.8	8.0
Wyoming		8.6	9.2
Oregon		7.1	6.9
Minnesota		7.0	7.6
Utah		6.5	6.6
Montana		6.5	6.2
Iowa		6.4	5.1
Washington		6.3	7.0
(Source: Off. Surgeon General, Army)			

		High school dropouts (percent of 1961-62 ninth graders not graduating in 1964-65)	
1. Mississippi	37.7		
2. Georgia	37.0		
3. Kentucky	36.3		
4. North Carolina	33.7		
Dist. of Columbia	33.7		
6. Alabama	33.6		
7. Tennessee	33.2		
8. New Mexico	33.1		
9. South Carolina	33.0		
Alaska	33.0		
11. Louisiana	32.6		
12. Arizona	31.9		
13. Florida	31.5		
14. West Virginia	31.0		
15. Texas	30.5		
16. Virginia	30.2		
17. Arkansas	30.1		
18. Kansas	29.9		
19. Missouri	27.6		
20. Illinois	25.8		
21. Oklahoma	25.6		
22. Wyoming	25.3		
UNITED STATES	25.1		
23. Indiana	25.0		
24. Maine	24.0		
25. Maryland	23.7		
26. New York	23.6		
27. Nevada	23.0		
Vermont	23.0		
29. Michigan	22.7		
30. Colorado	21.8		
31. New Hampshire	21.5		
32. Idaho	21.4		
33. New Jersey	20.8		
34. Massachusetts	20.6		
35. Delaware	20.4		
36. Utah	19.1		
37. Ohio	18.9		
38. South Dakota	18.7		
39. North Dakota	18.6		
40. Connecticut	18.4		
Rhode Island	18.4		
42. Nebraska	18.1		
43. Pennsylvania	17.7		
44. Oregon	17.4		
45. Iowa	16.8		
46. Montana	15.7		
47. Washington	15.1		
48. Hawaii	14.5		
49. Wisconsin	14.2		
50. California	12.5		
51. Minnesota	12.1		
(Source: Office of Education)			

		Average annual salaries of classroom teachers in public schools: 1965-66	
1. Mississippi	\$4,190		
2. South Dakota	4,650		
3. South Carolina	4,675		
4. Arkansas	4,740		
5. Kentucky	4,930		
6. West Virginia	4,990		
7. Tennessee	5,100		
8. North Dakota	5,120		
9. Alabama	5,150		
10. Nebraska	5,225		
11. North Carolina	5,337		
12. Georgia	5,350		
13. Maine	5,550		
14. Vermont	5,640		
15. Virginia	5,650		
Oklahoma	5,650		
New Hampshire	5,650		
18. Idaho	5,685		
19. Kansas	5,785		
20. Montana	5,800		
21. Missouri	5,857		
22. Texas	5,950		
23. Louisiana	6,039		
24. Iowa	6,050		
25. Wyoming	6,119		
26. Utah	6,260		
27. Rhode Island	6,325		
28. Ohio	6,350		
29. New Mexico	6,356		
30. Colorado	6,391		
31. Pennsylvania	6,410		
32. Wisconsin	6,425		
33. Florida	6,435		
UNITED STATES	6,500		
34. Minnesota	6,641		
35. Oregon	6,650		
36. Washington	6,825		
37. Michigan	6,850		
38. Maryland	6,878		
39. Hawaii	6,929		
40. New Jersey	6,968		
41. Nevada	7,025		
Arizona	7,025		
43. Indiana	7,050		
44. Massachusetts	7,100		
45. Illinois	7,123		
46. Delaware	7,150		
47. Connecticut	7,200		
48. Dist. of Columbia	7,500		
49. New York	7,700		
50. California	8,150		
51. Alaska	8,240		
(Source: Office of Education)			

Armed Forces mental test failures, 18-year-olds: June 1964-December 1965 study (by percent)			
	Total	White	Negro
U.S. average	25.3	18.8	67.5
Dist. of Columbia	55.3	16.8	65.4
South Carolina	54.6	21.8	85.6
Mississippi	53.8	25.2	84.9
North Carolina	53.0	37.9	82.1
Tennessee	49.0	43.7	70.8
Louisiana	48.0	25.4	74.9
Virginia	45.3	33.6	73.7
Alabama	44.5	24.4	76.2
Georgia	43.2	23.5	79.1
Kentucky	39.1	38.0	59.2
Texas	38.6	32.5	69.4
West Virginia	35.5	35.3	46.0
Arkansas	30.7	21.0	70.9
Florida	32.9	18.4	74.4
New Mexico	29.4	29.1	62.1
Hawaii	28.3	28.2	(100.0)
Maryland	27.8	19.1	55.2
Arizona	25.9	24.0	68.1
New York	24.9	21.1	53.8
Oklahoma	23.3	19.3	60.1
Missouri	21.6	17.3	65.4
Colorado	21.2	20.5	54.7
Maine	20.9	20.9	**
Delaware	20.8	12.8	52.6
California	19.5	17.1	49.4
Michigan	18.2	14.4	46.2
Illinois	17.8	13.4	55.5
Massachusetts	17.0	16.6	42.2
New Hampshire	16.1	16.1	**
Vermont	15.1	15.1	**
Nevada	14.9	9.4	68.2
New Jersey	14.4	10.7	45.2
Indiana	14.2	12.8	43.6
North Dakota	14.1	14.1	**
Ohio	13.9	11.9	40.3
Connecticut	13.8	11.3	50.3
Pennsylvania	13.7	11.6	41.7
Kansas	13.5	11.8	45.9
Alaska	13.1	12.9	(50.0)
South Dakota	12.6	12.6	**
Rhode Island	12.4	12.1	29.3
Nebraska	12.1	10.9	54.7
Idaho	11.4	11.4	**
Wisconsin	9.4	8.7	56.2
Montana	8.3	8.3	(100.0)
Utah	8.2	8.1	(50.0)
Iowa	7.7	7.7	**
Wyoming	7.5	7.6	**
Oregon	7.4	7.0	57.8
Minnesota	6.9	6.9	(37.4)
Washington	5.8	5.5	25.0
() Small sample.			
** Too small—figure meaningless.			
Range:			
Total: 5.8% (Wash.) to 55.3% (D.C.)			
White: 5.5% (Wash.) to 43.7% (Tenn.)			
Negro: 25.0% (Wash.) to 85.6% (S.C.)			
(Source: Off. Surgeon General, Army)			

Hobson

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"All the News  
That's Fit to Print"

# The New York Times.

LATE CITY EDITION

Fair and cool today. Mostly sunny,  
continued cool tomorrow.  
Temperature Range Today—Max., 66; Min., 52.  
Temperature Tomorrow—Max., 60; Min., 45.  
For 7-day weather service report, Page 11.

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FIVE CENTS

## HIGH COURT BANS SCHOOL SEGREGATION; 9-TO-0 DECISION GRANTS TIME TO COMPLY

"Liberal circles in this country have undergone a decided change in sentiment about school integration since that distant spring of 1954 when the Supreme Court outlawed segregation."

## SCHOOL INTEGRATION IS STILL ON THE AGENDA

By ROBERT L. CARTER, *general counsel, National Association for the Advancement of Colored People.*

**D**ESPITE a study published by the United States Commission on Civil Rights showing that the only way to provide equal educational opportunity for Negroes is a massive national undertaking to end racial isolation in the public schools, school desegregation in the North, as late as Spring 1967, was virtually a dead issue. The pressure was off. Public support was lacking; momentum for integration had vanished; Negro parents were apathetic; school administrators disregarded the issue; and to politicians it had become an anathema. Progressive forces, both black and white, in an apparent reaction to the seeming futility of ten years of wasted effort, had begun to downgrade and deride integration as a meaningful educational and equal-rights objective.

Then, on June 19, the announcement of Judge J. Skelly Wright's decision in *Hobson v. Hansen* broke like a bombshell amid all of this negativism. When that opinion, which contained a variety of possible approaches and suggestions for community and legal action, had been absorbed, it was evident that the fight for school integration throughout the United States was far from over. Judge Wright has provided integrationists with enough ammunition to keep up the fight for school desegregation for a long time to come.

*Hobson v. Hansen* declared de facto school segregation unconstitutional, and ability grouping, as practiced in the public schools of Washington, D.C., a fatal deterrent to the educational development of Negro children. School officials were ordered to take affirmative steps to end all vestiges of de facto school segregation in the Washington,

D.C., public schools. The court decreed abandonment of the ability track system because it relegated large numbers of Negro children to blue-collar education. Mandated as well was the complete integration of teaching staff and equality in the allocation of all other educational resources, which had been flowing in such unequal proportions to schools that served the affluent that \$100 more per capita was being spent for education of the white middle-class child in the Washington, D.C., public schools than was being spent for the Negro disadvantaged child.

**T**HE court suggested, though it could not order, the development of cooperative plans with white suburbs in Virginia and Maryland, and it directed the board to draw a plan that would replace the inequities of the old ability tracks—which had channeled the best teachers and resources to whites—with a meaningful and equitable program for all children.

Until Judge Wright's decision, the law explicitly prohibited official segregation, but gave no firm and certain support to those engaged in the fight for integration. Indeed, when initially confronted with de facto school segregation in litigation, the courts in the North were overwhelmed by the enormity of the problem. There was alarm that they had to contend with what had long been considered a Southern question when they, like the general public, had deluded themselves that the North was a model of race relations.

Ever since the Supreme Court's *Brown v. Board of Education of Topeka* decision in 1954, a judge could decree with confidence that children no longer be assigned to schools expressly on the basis of race. He knows that task is within the capabilities of school authorities. Yet, to order that children be no longer assigned to schools on the basis of resi-

dence, if this produces racial separation to virtually the same extent as if attendance were openly based on color, seems a far more formidable judicial undertaking. The courts do not know the extent to which alteration can be accomplished without hardship, dislocation, and hazard to sound education. Therefore, at best, the solutions decreed cannot be complete, but have to be framed in terms of "the greatest extent possible consistent with sound educational practices" or some such similar qualification.

This kind of solution, it must be emphasized, is neither new to the law nor foreign to civil rights litigation. After all, the "all deliberate speed" remedy of the *Brown* decision was, in effect, an admonition to school officials to do the best they could in good faith. It was intended to cushion the transformation from segregation to integration so that disorder and derangement would be kept to a minimum.

**I**F there had been a good-faith commitment to eliminate segregation, the "all deliberate speed" qualification of the *Brown* decision would have served as a model of race relations and judicial statesmanship. That it did not work, that the necessary commitment did not exist, and that the Supreme Court should have realized this are all beside the point. Were school authorities to obligate themselves to end the Negro child's educational isolation, as they should, the "do-your-best-in-good-faith" decree would spur them to find ways and means to change school systems that today are leaning inexorably toward increased segregation into systems that would lean toward greater and increased integration. Since the whole community would know, moreover, that the school board was determined to eliminate all vestiges of school segregation as soon as possible, the adverse educational impact on Negro children who were forced to



remain in segregated schools for the time being would necessarily be minimal.

Thus far the Supreme Court has not spoken. It has let all lower court decisions stand, whether outlawing or condoning de facto school segregation. It is a reasonable certainty, however, despite a few unenlightened holdings to the contrary, that school districts are free to take voluntary action to eliminate racial imbalance. On the other hand, it is not clear that Constitutional guarantees of due process and equal protection compel school authorities to act. Therefore, Judge Wright's holding in *Hobson v. Hansen* that de facto school segregation in the nation's capital is unconstitutional will have profound effect upon the future development of the law. The decision is clear and explicit, and its *ratio decidendi* is overpoweringly persuasive. Indeed, unless the fight to eliminate educational inferiority fails altogether, this opinion will undoubtedly come to be viewed as a classic exposition of what the Constitutional guarantee of equal opportunity means in respect to the Negro poor.

**A** FACTOR of vital importance is that Judge Wright has armed those persons who believe integration and equal education are inseparable with a powerful intellectual argument on which to rest their case. His searching examination of the Washington, D.C., school administration—possibly the most comprehensive inquiry in the annals of American law—has exposed the pernicious and basic postulate of American public education in all of its ugly reality. That premise is that since Negroes, particularly poor Negroes, are destined for the most menial occupations in the society, they need not be accorded the educational facilities or opportunities available to the white middle class.

The concept that education for the Negro poor should be separate and unequal, and the conviction that white enclaves of high educational standards must be fostered and preserved to keep white children in the public school system—even though this means that more than an equitable share of the system's educational resources must be utilized for that purpose—are basic generating forces in all school systems in the United States. This is especially true of large urban school districts where vast numbers of the Negro poor are now concentrated. Judge Wright has shown that this concept and its implementation are not the products of an extreme or unusually venal racist ideology, but of universally held assumptions, rationalizations, misconceptions, and indifference of otherwise well-meaning white people, who, in common with most white Americans, see Negroes as needing, deserving, and warranting less.

He has dissected the implicit racist



"The ability track system . . . relegated large numbers of Negro children to blue-collar education."

underpinnings of homogeneous assignment patterns—in this instance, the track system. With a large percentage of the student body made up of the Negro poor, a system of pupil placement and curriculum assignment—determined by tests most favorable to the white middle class—results in those children most in need of intellectual stimulation, educational skills, and exposure to persons, concepts, and ideas from outside the Negro ghetto being placed in the most overcrowded schools, taught by the most inexperienced teachers, given the most simplified curriculum, and restricted, in the main, to contact with persons of their own background limitations. This process necessarily condemns these black children to substandard education. The tragedy is that Dr. Carl F. Hansen, former superintendent of schools, and other Washington school officials, like their colleagues throughout the United States, do not grasp or understand the destructiveness and underlying racism of such educational practices and regulations.

Judge Wright reminds us that, at the very least, the Constitution mandates equality in the allocation of educational resources. He seems almost apologetic in the statement of this conclusion. Apparently, he does not want to be accused of reintroducing the separate-but-equal doctrine, outlawed in the *Brown* decision. Yet, that reminder does not constitute retrogression. Its utilization can help undermine the segregated ghetto school. For if the privileged white school is no longer in the position to

have more than its proper share of available educational facilities and resources, the stimulus to keep it separate and apart from the school for ghetto children may be weakened.

Judge Wright was dealing with a federal island surrounded by states, and hence was limited solely to the Washington, D.C., school system. But since the Constitution's demand of equality in the allocation of educational resources is a statewide obligation, a court dealing with a school system within a state can—and, indeed, must—hold that the state is in default when school districts of Negro children and the poor lack those educational resources available in school districts of white children and the affluent. In New York State, for example, school districts with the highest per capita expenditures spend several times as much for school purposes as school districts with the lowest per capita outlay. This means that the richer school districts are in a more favorable competitive position to attract and keep teachers and administrative personnel with the highest qualifications, and to provide the best and latest in facilities and remediation. To the extent that these factors affect the quality of education, the poorer districts are disadvantaged.

Each state provides a certain minimum for education, with state funds being supplemented locally, usually from levies on real estate property. This formula has meant that the affluent suburbs, with strong tax bases and rising real estate values, are able to spend more on schools than are the cities, which



have increasingly become centers of the nonwhite poor. Since the state formula for supplementing local funds does not wipe out the disparities in resources available for school purposes, this formula may be unconstitutional. If the state is required to insure equality in the allocation of resources on a state-wide basis, it will not be able to excuse the higher per capita expenditure for school purposes in the white suburbs as contrasted with that in the Negro central city on the grounds that the differential results from local initiative. The state may be compelled to devise a new approach to financing education, one that will insure that the Negro poor in urban centers receive the same per capita expenditure for education that is spent for the white, affluent suburbanite.

This, of course, is only a beginning. If equality in the allocation of educational resources is mandated, the elimination of differentiation in all other areas—teachers, administrative personnel, laboratories, visual aids—indeed, the elimination of inequality in allocation of all resources between the affluent suburban and poor city schools, may be necessary.

The Coleman report, issued in July 1966 by the United States Office of Education, seems to indicate that the schoolmates of the Negro pupil have far greater effect on the quality of his education than any other single factor. Again Judge Wright provides some guides. He suggests that Washington, D.C., school problems must be solved on a metropolitan basis. He could not require that this be done because, as has been indicated, jurisdiction is limited. If, however, de facto school segregation is unconstitutional, and racial imbalance must be corrected in order for Negro children to obtain equal educational opportunities, the issue is not ended simply because a particular school district happens to have an overwhelming nonwhite school population. In the metropolitan areas the majority of students in the central-city public schools are poor and nonwhite, and in the surrounding suburban schools the majority are affluent and white. District lines separating the central-city school system from the suburban school districts are artificial barriers drawn pursuant to state requisites. As they are erected, they can be modified or eliminated. District lines cannot be regarded as insurmountable barriers to the Negro poor obtaining equal education as commanded by the Constitution. It may very well be that these dividers may have to be altered for the state to meet its Constitutional obligations to provide equality of education to the disadvantaged Negro child. There are limitations as to the extent this can be required by law, but such restrictions are only those of reasonableness and feasibility.

Liberal circles in this country have

undergone a decided change in sentiment about school integration since that distant spring of 1954 when the Supreme Court outlawed segregation in public schools and, by inference, in every aspect of public life. In the wake of that decision, all America was confident that racial segregation had been dealt a fatal blow. What was not taken into account was that the *Brown* decision would have an impact on the North as well as the South.

Today, there is still common agreement among liberal forces that equal education for Negroes must be provided, but debate over how this goal is to be achieved is strident and acrimonious. A consensus that school integration and equal education are the same no longer prevails. Black militants, to whom the term "Northern white liberal" signifies transparent hypocrisy in race relations, and a segment of the Northern white liberal community now agree that integration has no relevance to the Negro's quest for equal educational opportunity. Both groups argue for a concentrated effort to equalize segregated educational facilities, the goal being to produce quality education in the ghetto schools.

Integrationists are dismissed as fatuous idealists. Indeed, they, not the

control and involvement of the Negro community. Apparently, when this bootstrap-like effort has been successfully accomplished, the dominant society will be more disposed to lower present racial barriers.

The black militant views the open frustration of the Supreme Court's ban on school segregation and the unwillingness of the Northern white liberal to fight in his own community for the goals advocated for Mississippi and Alabama as ample proof that white America is not prepared to accomplish anything meaningful in integration. He is certain that Negro concentration in the central-city ghettos will endure for many years, and that it is useless and self-defeating to seek integration in the face of the deep-rooted opposition of the white population, particularly when he sees that the inevitable consequence of such a futile struggle is the ruin of another generation of Negro youth.

He therefore proposes a turning inward of the Negro community upon itself. He accepts and advocates what had heretofore been regarded as Negro containment and, prior to the *Brown* decision, would have been dismissed as conservatism, if not Uncle Tomism. The black militant's sponsorship of segregation today, however, has no overtones of servility or complaisance. He is engaged in an assertive and aggressive salesmanship, dressing up the product with glittering labels—reliance upon the Negro's own resources, taking over ghetto schools from uninterested white educators, and establishing black economic resources and political power.

IT may work because the whole design is generated by a fierce and righteous rage—rage at the Negro's 300 years of frustration, powerlessness, rejection, humiliation, and exploitation. Indeed, unless awareness and realization come to the white community, it may be the only road open. The American public should be put on notice that if Negroes are forced to follow this path, antiwhite feelings will have become so virulent within a generation that any hope of the two races' finding a common basis for peaceful coexistence in this country will be gone forever.

Emphasis on raising the standards of Negro schools is bound to gain many adherents. The Negro community has always been ambivalent about integration. Its chief concern and interest are in equal education, and integration has never been universally accepted as the only way to that end. The white community, while willing to accept the idea of integration in education, has fiercely resisted it in fact. Its hostility results in some measure from fear that the education of white children will suffer if they are forced to go to school with

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Occasional houseman duties  
Limousine experience, city & country.  
Live in, country. Must have excellent  
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pean or Flinn preferred. Phone: Wm-  
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reliable, experienced 4 days  
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COOK-experienced, house-  
no animals. Sleep-in/  
After 9:30 AM, 11-7-79.

COOK, expd, Artistic, eld-  
French, Grng. Full time  
other help. Call Sun 11

COOK-excel, light house-  
only, good refs. Sleep out.

COOK Light housework, sleep-  
try. Refs. 575, Call 10-3

COOK Plain/Genl Hswkr 5  
Suburbs/Adults Ref. 462-1

COOK Houseworker AT Irish  
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COOK housekeeper experienced  
children, sleep in or out. Call 1-443

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DAY work- experienced. Refs  
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HOUSEBOY, part time, neat, flexi-  
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Young man's E Village apt, good home  
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educationally deprived and disadvantaged Negro children. The fear, of course, is a part of the conviction and arrogance of white superiority.

The white liberal's advocacy of separate but equal education is incongruous. His role should be that of an uncompromising advocate of full equality in the white world. From the viewpoint of that world, whatever the Negro's conflict, full equality and integration are inseparable, and segregation is a form of rejection. The white liberal should not assist white America in evading face-to-face confrontation with that issue.

With all of his anger and rage, the black militant is in essence a romantic. In pure abstract theory, without relationship to the reality of American race relations, there is no reason why Negro children ought not to be able to obtain an equal education in schools of Negro concentration. For a time, immigrant groups were a preponderant segment of the public school population, but public education furnished the key for the Americanization and upward mobility of the white European immigrant and his progeny. Today, however, the public school system in its relationship to the Negro has become an institution for the maintenance of the status quo; it now can successfully educate only the white middle class.

Rationalizations concerning the shocking absence of decent standards of education in the schools Negro children attend are patronizing and insulting. Cultural lag, parental disinterest in education, the fact that parents don't read, and related factors are blamed—all of which place responsibility for failure on the Negro child or his background. The truth is that it is not culture but skin color and material affluence that make the difference. A whole generation of educators have built formidable reputations on the implementation of an educational philosophy that at its core means the least and the worst in educational resources for Negro children, the most and the best for white children. Such men are at the helm of most of our public school systems today.

**I**N order for Negro children to obtain equal education, they must be taught; they must be given the opportunity to learn. Where Negroes attend separate schools, that opportunity will be pro-

vided only in a school system that has excellence in the education of the disadvantaged as its principal and central function, and the means to give that objective reality. For such a public educational system to emerge requires a total transformation in American life. Until that millennium arrives, the surest road to equal education is that which prevents the possibility of discrimination. This means, as an indispensable and necessary prerequisite, a school system where schools cannot be distinguished as white or Negro.

The civil rights movement in its national posture finds it difficult to free itself from total concentration in the South. While the reasons are understandable, its Southern orientation is a mistake. The Negro's fight for equality, as has been true of all other ethnic groups, will be determined in the great metropolitan centers of this country. It is in these great centers, particularly those in the Northern tier of the United States, that the country has the least capacity to hide the gravity of the race problem from itself. The civil rights movement should exert every pressure to force these metropolitan areas to confront the vast scope of the denial of educational equality existing between Negro and white children.

Disappointment and disillusionment over the efficacy of the law resulted from successful frustration of effective implementation of the *Brown* decision by the South. Disappointment and disillusionment are warranted, but the law remains an effective tool for social change, particularly when allied with other forms of pressure and protest. In the effort to effectuate a revolutionary reform in American life, no useful tool or technique can be disregarded. It is doubtful that school authorities will be willing to take the steps required to afford Negro children their educational due. Litigation must be one of the tools utilized to attempt to force a change.

**W**HAT is called for are lawsuits in every major Northern metropolitan area in the United States. This litigation should be of every variety—to require a merger of suburban and central-city school districts to afford Negro children equal education; to require elimination of segregation within school districts; to require equal allocation of resources to

suburban and city school districts; to require such reallocation within each school district; to attack the validity of the state formula for public support of the public school system; to seek transfer of individual Negro students from all-Negro schools to predominantly white schools within or outside the school district; to seek transfer of teachers, both classroom teachers and specialists, from schools for the white affluent to schools for the Negro poor, so that the latter may acquire an equal share of qualified teaching personnel; to eliminate any educational practice that is detrimental to the educational development of Negro students or places them at an academic disadvantage in relation to whites.

The racist underpinning of the school system's approach to education must be exposed. Americans do not feel comfortable in viewing themselves as racists. Hence, when such manifestations are publicly revealed, a great deal of soul-searching takes place.

This effort must be pushed with whatever means are at hand. An attempt will be commenced this fall to test the worth of the proposed litigation. Whatever the ultimate result, the inevitable and immediate consequences of the approach suggested are hurried efforts to equalize the Negro schools. This has always been true. Pressure for integration usually speeds equalization. Integrationists do not prevent equalization, but equalizationists prevent integration.

Judge Wright is unique. There are few judges in the country with his intellectual gifts, sensitivity, and feeling of commitment to the full implementation of the Constitutional guarantees without dilution. It will be difficult now, however, for courts to dismiss or refuse to evaluate those policies and practices that by design or in fact result in the Negro child being educationally short-changed.

**T**HE need for educational equality for the Negro is no form of charity; it is his right under our laws, and is in the best interest of the nation. There will be no peace of mind, security of person or property in this country until the basic commitment of America to the goal of equality and justice for all has overcome the barrier of race. That goal is nearer at hand today because of the *Hobson v. Hansen* decision.



# SCHOOLS for the 70's

By John Mathews

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The Washington Star  
1970

# 'Parkway' Plan Flourishes

By JOHN MATHEWS

Star Staff Writer

PHILADELPHIA — Here, where people remind you that this is the city of brotherly love when they talk ironically about some event that was particularly unbrotherly and unloving, the Parkway Program is the most exciting and perhaps the most significant thing going on today in American education.

Its educational excitement has been well documented during its first year of life through the national publicity its masterful director, John Bremer, has attracted and orchestrated.

This is the celebrated "school without walls," a high school that does not have a conventional building, but uses instead three beat-up rented offices as central gathering places for students, and for its "classrooms," the city and its resources.

Parkway students—black or white or smart or "dumb" or urbanite or suburbanite—choose their own courses, ranging from the conventional to the offbeat, taught by certified teachers, college students, professionals and other citizens from the community, or even by other high school students.

The students walk or ride public buses and subways to their classes in museums, churches, government agencies, the board room at the Industrial Valley Bank, the Oliver Blair Funeral Home, the Dolley Madison Ice Cream Co. and scores of other locations rooted in the community.

There are no marks, just credit or no credit for courses; no standard tests, unless teachers and students want them. And there are no criteria for admission: 10,000 of the city's 75,000 high school students applied for the first 130 places in Parkway, which were drawn in a lottery.

And the first handful of graduates from the program have gotten into colleges of their choice, presenting admissions officers with lengthy self-evaluations and evaluations by their teachers of what they have learned.

## Inspires Others

That briefly is the Parkway educational program that has drawn national attention and

inspired formation of similar programs in other cities and talk of replicas in many more. In Washington, a small group of public school officials and citizens is discussing establishing a local Parkway, and just last week a delegation from Montgomery County, Maryland, came here to have a look.

But beyond the very real educational exuberance of Parkway, there is a deeper significance to the program which so far has been largely ignored.

If Parkway is allowed to exist and grow, it could develop into something unique in American education: an alternative public education system. And director Bremer is buoyantly confident, saying, "We've won the war in a year. We have too large a political base in the community to be destroyed."

Parkway has the authority from the local school board—and should have the money unless the city's financially pressed school system goes broke—to expand by the end of next year from some 500 high school students to 2,500 students, ranging from kindergarten through the 12th grade.

## New Free Choice

What that means is that an increasing number of students and parents will have a "free choice" in determining what kind of education they want. But that free choice will not be the usual American free choice between public and private education. The parents and their children will be opting for a significantly different type of education within the public school system, supported by their tax dollars and their demand for something different from the usual fare.

The long-term prospects are intriguing.

Much of the current talk in educational and government circles takes the desperate line that public education is beyond redemption. New educational units outside the system of public education must be created, current thinking goes, through government voucher or tuition grant systems, for example, to provide people an alternative and force the system to change through competition.

Such thinking may be premature and misdirected. If Parkway can achieve its potential of becoming a large-scale alternative system of public education and if its model is more than just a local phenomenon — if, in fact, it can be exported to other cities — then the program may demonstrate that the existing system can be made to respond. This just may be the strategy for reforming and creating a truly democratic public education system.

## First Things First

John Bremer, the witty, puckish director of the program, who looks like an English don and was one for many years, is very precise about his strategy.

"We are a public institution, and that's damn important," he said last week in his unheated 1801 Market St. office, next to the noisy student social center. "I don't want to sound terribly immodest, but we have reorganized the social structure of education, and nobody has done that in this country."

Why, he was asked, can Parkway succeed while other attempts at changing the pattern of education are failing miserably, like the decentralized school districts in New York (one of which Bremer headed for a year), new types of schools and campaigns to gain political power and leverage? His answer:

"Our program has a constituency because it is an educational program. Our aim was not to set up a political power base first. Our aim was to produce first an educational program that because of its very nature would command political support."

Local opinion is divided when it comes to Bremer's sanguine analysis. Some cite as evidence that his power is shaky the suspension by school Supt. Mark Shedd this month of an "underground" elementary age program Bremer took over when asked to by a community group.

But others maintain that Bremer, if he had felt it was tactically the right moment, could have mobilized community support, especially the power bloc that keeps school and city officials on edge

around the country: High school students and their parents.

In any case, the program right now has the staunch support of the local school board, headed by former Mayor Richardson Dilworth, that allowed it to begin and now basks in its early glories.

## How Systems Differ

Putting aside for now the political significance and future of Parkway, what are the basic differences between the program and conventional or traditional education?

Parkway's educational philosophy is a complex salad seasoned especially by the thought of Plato, Freud and John Dewey—Bremer's intellectual triumvirate. It takes off from the premise that most American schools—both public and private—assume that education takes place only in the classroom largely through the vehicle of teachers and books and that the primary purpose of education is to impart the accumulated knowledge of the ages as defined by teachers.

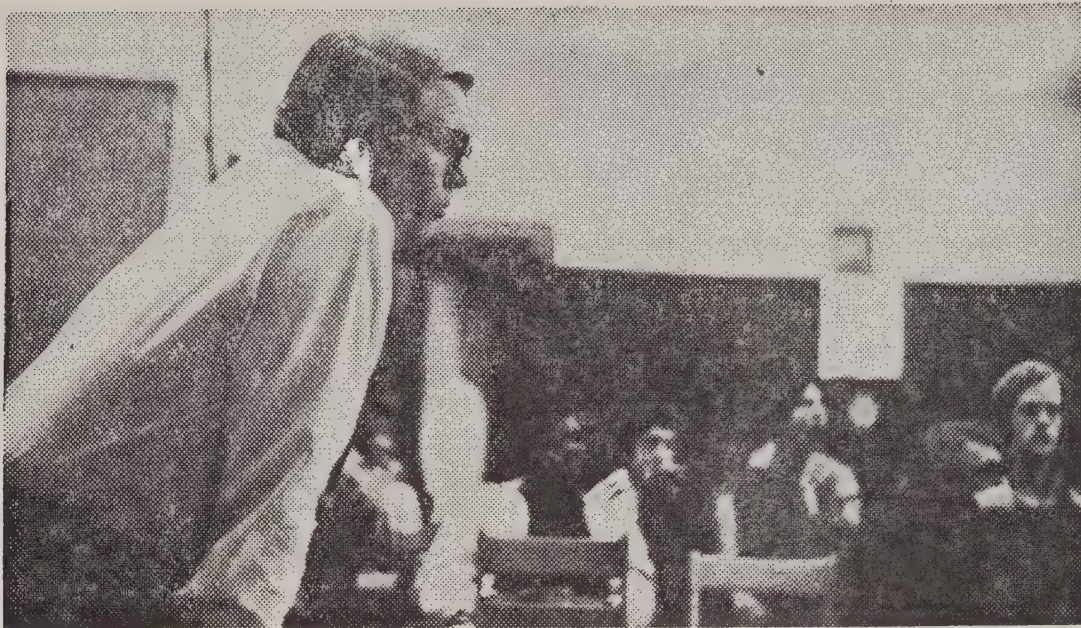
In contrast, Bremer — and many other educational reformers around the country — look at education from a different perspective. Education to them is not an abstraction. Education to be worthy of the name must help students, or better still people, understand themselves and their environment.

## 'Boundaries' Called Wrong

The thinking is that what Bremer calls the "boundary conditions" of education have been all wrong. The school has set up a boundary between itself and life outside, presuming that learning can take place only within its territory, while in fact children are learning much more outside school—from television, for example — than from the school curriculum.

Students also can learn as much from businessmen, ministers, antipoverty workers, other adults and other students as they can from certified teachers, and Parkway makes this possible. Once the artificial barriers between teacher and learner, and between school and community, are broken, learning is no





**John Bremer, director of Philadelphia's enterprising Parkway program, listens during a "town meeting" of students and faculty. Dave Watford, a student, took the photo.**

longer an isolated abstraction, but part of living, Parkway contends.

And further, when students are exposed to a wide variety of options directly related to the realities of life, and when they can make choices as to what they want to learn, then the process of education is complete. Learning some specific academic skill makes sense to the student—and in that tired word of contemporary educationese is "relevant"—because the student knows he needs the skill to study something else or work to some career goal.

"Motivation" of the student, the nightmare of contemporary educators, is no longer a problem.

#### **A Chance to Click**

What particularly fascinates a visitor to Parkway is how the verbal philosophizing of Bremer and his staff is generally translated into concrete terms by students and others in the program.

Those students are an amazing mixture of street kids, hip and "hippie" types and straights, dressed in everything from ties and jackets and minis and maxis to an endless rainbow of blouses, shirts, bellbottoms, flares, treated jeans and what have you. What impresses most of all is their openness with a stranger, their lack of hostility, suspicion and fear and, in particular, a certain self-assurance and poise for which black kids in particular provide a definition when they say someone is a "together person."

When students are asked why they left their regular

high schools and what they disliked about them, they give the standard catalogue of criticism: "I got tired of teachers thinking they were superior and never listening to students ... the courses were useless ... I'd get all uptight in class because they were always marking us, but here the informality lets me express myself better."

When you ask why a student now feels more receptive to the conventional subject matter he resisted in regular high schools, you get an answer like this one from an 18-year-old whose eyes are hidden behind pink glasses:

"My math was no good in high school. It was nothing but shop math. Now I look at algebra and see it has something to do with what I want, photography. I don't take classes I only need to graduate, but I take those I want to learn something about a particular subject."

#### **Responsibility Issue**

The issue of an individual student assuming responsibility for his own education is uppermost in the minds of many students and faculty. There's much debate among both as to whether every student can handle the freedom. Bremer says no student has dropped out and headed for the streets, although some have chosen to return to their regular high schools.

"Some kids said they could not succeed at Parkway, that they needed more structure. So they went back to their previous schools," Bremer said. "I don't think that was a failure of program. They

learned something very important about themselves."

Bremer, however, does insist that Parkway has a structure of its own, that the outward chaos is not all aimless. "We do have structure," he says, "but it's not predetermined. Students make the structure and that's why their anxiety about learning and schools is considerably less."

In the office of the Market Street unit of Parkway, there's a handwritten sign that reads: "That Which Is Not Structured Does Not Exist." Some critics maintain that Bremer's definition of structure sometimes leads to arbitrary dicta from the director. "I'm not fearful of making decisions when I have to," he answers.

Most decisions, however, appear to be made through the unwieldy, but oftentimes productive, process of participatory democracy, although some feel students abdicate much of their chance to participate.

#### **Self-Persuasion**

Students and faculty readily acknowledge that maybe 10 to 20 percent of Parkway students skip classes regularly and more are doing minimal amounts of work. But how serious, they ask, is the Parkway problem when compared with regular schools where absenteeism runs just as high, where thousands of students attend but sit and do nothing, and from which thousands drop out, including some who have found a refuge in Parkway?

Bremer also maintains that noncooperation and nonlearning are essential parts of a

student's education to maturity and freedom.

One young student testifies to this. She says: "Last year, I did 'nothin'. I never went to class. I just hung round, but after awhile there was nobody to hang round with and I started talking to the walls. So, I went to classes, and this year I go to them all."

Breaking the barrier between student and teacher and introducing into the classroom teachers other than "certified personnel" may seem to be mindblowing to teachers from a conventional system. Nonetheless, some 200 teachers, most of them from the public schools of Philadelphia, applied for the 18 initial teaching positions.

One of these was Mrs. Tina Craig, a business education teacher for years in a city high school who now heads one of the project's decentralized units, and has accepted the new relationship enthusiastically.

"In most high schools," she said, "you teach subjects and not students. Here the subject matter is not paramount. It's a vehicle to get to know a person. Here the teacher is often the learner and the learner the teacher."

#### **Cooperation Paramount**

Besides its educational freedom, Parkway is rooted in what at first hand seems to be a truly subversive and un-American notion.

"Cooperation has replaced competition as the keynote," Bremer says. He argues that cooperation, the team approach, is the social mechanism of the future, already to



be seen in America's greatest historical success of the century, the space program:

"The astronauts' real accomplishment is really their social achievement, not their scientific achievement, impressive as that is. The social organism of the space team was created from scratch. The authority is vested in the group, rather than the individual. And secondly, the individuals of the group do not have any fixed rules, they don't have to give and take orders."

### The Tutorial Group

At Parkway the vehicle for cooperation and community is Bremer's most guarded creation, the tutorial group. To understand its role, some background on the over-all Parkway organization is helpful.

Before the lottery, the 10,000 students applying for the 130 initial places were classified into the eight city school districts where they were attending high school. This was done to insure that the project would reproduce as closely as possible the composition of the city schools with its 60 percent black and 40 percent white division. (It still can be assumed, however, that Parkway students probably are better motivated and self-reliant than the average Philadelphia high school student since they had to volunteer to attend the new program.)

Once selected, Parkway students are then carefully parcelled out with a deliberate attempt to maintain a balance of races and sexes among the project's three units: Alpha, Beta and Gamma. (The Greek alphabet is a concession to Bremer's classical education.)

Alpha and Beta units are close to center city and the program's namesake, Benjamin Franklin Parkway—a boulevard that begins at City Hall, stretches to the art museum and is dotted with the city's major cultural institutions, including the Franklin Institute, Philadelphia's equivalent of the Smithsonian. Gamma is in South Philadelphia in a predominantly black urban renewal area.

### Much Autonomy

Each unit has a large degree of autonomy with its own staff of eight teachers, eight college interns (most of them from places like Antioch College where students spend up to six months off campus on work-study programs) and about 170 students. The units devise

their own courses and set most of their own house rules, with director Bremer making sure they don't turn into schools in the traditional sense.

Within the units, no student is dubbed a freshman, sophomore, etc. Courses are open to all ages, although prerequisites and degree of difficulty tend to separate younger and older students in different courses.

To graduate, a student must complete the standard high school distribution among required courses, but Parkway decides what will be an English course or a social studies course, and so on.

At Alpha, for example, social study courses range from the traditional American history to social work with post-psychiatric patients, an anti-Vietnam war seminar and a course on mathematical games. Courses can get highly individualized such as at Beta where a single student who wants to get a pilot's license is taking a course on a ground theory at the University of Pennsylvania.

### Only Required Course

At the units the tutorial group of 15 students, carefully mixed among races and sexes, is the only required course, meeting at least four hours a week. Here students experience the most intensive of personal encounters with each other, their teachers, and their group operating as a unit.

The tutorial unit at its best can come to resemble a family in which teachers and students evaluate themselves and each other and the program as a whole. It is responsible also for improving the basic skills of its members by any means it finds effective. Mrs. Craig of the Beta unit gives an example:

One student, an alumnus of the Eighth Street gang, had been particularly withdrawn from the group until students began relating personal experiences. He began telling about his gang activities and held the class' interest for two hours. "Now he is actually writing for the first time his experiences, since he found they have value and interest, especially because of the interest and fascination of his fellow students," Mrs. Craig said.

### Problem Areas

Like many aspects of the Parkway Program the tutorial unit is easy to criticize. Not everyone thinks it is working satisfactorily in dealing with

basic academic deficiencies and tensions between students from different races and backgrounds.

Some teachers, and students too, worry about sporadic attendance, casual, superficial work in many courses, the emergence of some offerings that cater to an elite and the varying quality of instruction.

Asked how he determines effective teaching is going on in his classes, Bremer tosses off the question with one of his many epigrams: "I'd be more happy to say there's effective learning going on, rather than effective teaching."

Some of the black students are ambivalent about white leadership and worry that a program that permits them to start a black culture course if they want one is really a subtle tactic of the power structure to get self-motivated, often-activist students out of the high schools where they can't be contained.

"Yeah, I used to think about things like that," one black student said, "but I don't care anymore because I'm getting what I want out of this school and I would have dropped out of the other one I was going to."

Most of the criticism has to get back to a confrontation with Bremer's standard stopper: "We certainly can't be doing a worse job than regular schools, and I'm confident we are doing better."

### Costs Less

Equally hard to challenge is his contention that Parkway costs less than regular schools.

The program receives the standard public school allotment of \$680 annually per student. It spends nothing on building construction and only a trifling amount on the rental of three locations for its units. Most classroom space is donated free by the institutions that own the space, very little is spent on equipment and most of the furniture is second-hand and looks it.

At least in its present size, Parkway's administrative overhead is negligible. It consists of Bremer, who gets paid a school system "director's" salary of \$26,000, a public information specialist who also teaches, and three unit heads, also part-time teachers. Most of the money goes to teacher salaries, stipends for some of the college interns, tokens for student transportation and other costs directly related to education.

With only a year of life, the

long-range effectiveness of Parkway cannot be measured. Standard tests will not be of much help since what they measure is not what Parkway feels is the real purpose of education.

The ultimate crunch may come as Parkway produces more graduates and it can be determined whether the students get into the colleges of their choice or are equipped to find meaningful jobs.

### Little Violence

At this point, Bremer is confident that more and better learning is taking place at Parkway than in a standard high school, largely because students are less anxious and hostile in a free environment. He claims there have been only two or three student fights, no assaults on teachers, less smoking of cigarettes and marijuana and virtually no hard drug peddling.

At the end of a long day last week, the stocky, overweight director was talking animatedly about his programs as students and teachers leaned over the low glass around his cubicle and interrupted with questions and requests. The janitor came in at one point to say a group of students was downstairs at the door asking to come in. "I'm sorry. Tell them we're closed for the day. They know that," he said.

In a few minutes some voices shouted up from the street and a rock bounced off the plate glass window next to Bremer's desk.

"You know," he said, "they're throwing stones because they want to get in. I'd say that's rather unusual for a school."

His visitor was a bit skeptical about his explanation. But, on second thought, maybe he was right.



# Education by 'Free Choice'

BOSTON — The visitor had scarcely walked into the Fayerweather Street School when a mop-haired 9-year-old whipped out a pistol (yellow, Luger-type, water-filled) and a younger associate brandished a foot-long billyclub. Both said they were making an arrest.

"You have the constitutional right to remain silent because anything you say may be held against you in a court of law . . ." recited mop-hair, recalling a visit to a police station the day before.

Reluctantly playing the game, the visitor — complaining all the while of police brutality — was led to a third-floor landing marked off as a police station. His hands were tied, an 8-year-old was appointed as defense counsel and finally bail (10 cents) was posted. (One of the arresting officers dividing the spoils was the son of Abbie Hoffman, the Yippie leader on trial in the Chicago "conspiracy" case.)

Over in Roxbury at the Highland Park Free School, housed in a rambling 100-year-old wood-frame former parochial schoolhouse with an attached chapel — painted outside in psychedelic hues — the 5-year-old group was scattered through its two rooms.

Within a 15-minute span the following happens:

A couple of boys race toy firetrucks around the floor. Sprawled nearby, three children and a college intern flash a series of picture-word identification slides on a makeshift cardboard screen. Two girls cut and paste geometrical shapes. Five children, with a teacher observing, do a number exercise, matching triangles with numbers. A girl, sitting in a miniature rocking chair, leafs through a picture book. A group of children uses a large table to swab globs of fingerprints on shiny paper.

\* \* \* \*

In nearby Dorchester on the second floor of a soon-to-be-abandoned Jewish community center in the midst of a black area, Ophie A. Frank-

lin heads a new school supported directly by the Commonwealth of Massachusetts. He shows a visitor a list of "student demands" submitted to him the other day by the 8-, 9- and 10-year-olds. They want curtains, art rooms, new swings and monkey bars, air fresheners for the toilets. They also want to impose on themselves new rules like: "No roaming in the hall . . . only play records at lunch and family (group) . . . Stay in class at least 30 minutes . . . Patrolmen (student variety) in the hallways . . ."

\* \* \* \*

What is to be made of these three schools? Are the police game and the student demands illustrations of rampant pre-adolescent tyranny, adult surrender to youth? Is the classroom scene simply programmed chaos? Is this education or just unproductive fun and games?

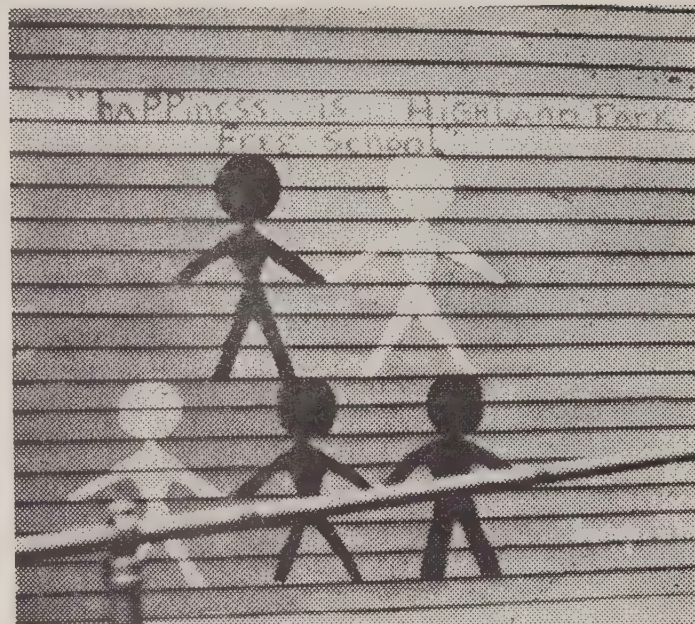
Most of the teachers, parents and students in these schools emphatically insist this is education. Furthermore, they say, this is education as it should be and must become in this decade: noisy, free, joyous, creative, emotional, humane, hard to manage, unregimented and unrepresive. And, they add, behind the free-wheeling atmosphere, the running, jumping and shouting, there are a structure and a rationale.

No name or catch phrase has been attached to this new style of education; it has not yet become an "ism." It has no precise formula. No package can be bought from a company specializing in educational products that will create a free and open atmosphere.

But there are sources of inspiration such as the contemporary critics of current educational practices: John Holt, Edgar Friedenberg, Paul Goodman and some historical antecedents like Maria Montessori and John Dewey. Of more practical and immediate inspiration are what have become known as the Leicestershire (England) plan schools, the British infant schools or the British primary school method.

## No Fixed Formula

The Leicestershire plan is



—Volunteers for International Technical Assistance

Brightly-hued figures on the Highland Park Free School reflect the exuberance of young artists.

far from a fixed formula ready for export and none of the three Boston area schools is a slavish reproduction. As Luther Seabrook, the head of Highland Park put it, "Other models are designed to fit certain populations. We steal from them all. Ultimately, we hope to develop a model that will fit our own needs."

Fayerweather Street School in Cambridge is a private school. The Dorchester school is supported with state funds and Highland Park in Roxbury is a community created and operated school hanging by a shoestring of federal and foundation grants, parent and private contributions.

The three schools are leading East Coast practitioners of the new education, but hold no monopoly. In Washington, the Morgan Community School has been developing for three years into a public school with a free environment. For several years, Lake Normandy in Rockville, a Montgomery County public school, unconsciously has practiced many of the principles of the British schools. That movement has become known in this country only in the last three years. Two lively ladies from the Leicestershire County schools headed a workshop at Potomac School in McLean last summer, one of a series spon-

sored around the country by the Ford Foundation. Some area private and public school teachers who attended have translated what they learned into their classrooms.

## Learning Concept

Leicestershire begins with Swiss psychologist Jean Piaget's concept that children learn abstract thought processes through a complicated series of progressions involving the senses.

For example, in teaching mathematics — which more properly should be termed "experiencing numbers" — children manipulate objects like blocks, counters, scales, balances, measuring devices, cuisenaire rods. They learn not only the numbers, fractions and processes like addition and subtraction, but more importantly, they grasp the principles behind the symbols and the operations.

In teaching reading and the so-called language arts, the starting point is conversation, the spoken language which children already know when they start school. Conversation leads to writing the alphabet and transcription by teachers of the children's verbal sentences and stories. Eventually, the child can connect the spoken language and the symbols of the written language.



No strict method of teaching reading is used; letter, word and sound cards, books of all kinds, much speaking, writing and individual attention break the code of letters.

Leicestershire classrooms — and their Boston area counterparts — have no pupil desks, no set lessons. Instead, classrooms have work tables, mats on the floor, child-size chairs and rockers and corners or rooms for science, math, reading, social studies, art, woodwork, perhaps a quiet room for those who want to get away from the group and, for younger children, a doll play area.

### It's Up to Child

Ideally, the subject corners or rooms are loaded with materials that children can use with little or no direction from a teacher. The pupils decide what they want to do and for how long with no bells to announce new classes. Teachers are there to help, explain and inspire activity, not to dictate the child's learning pace.

All three schools have no grade divisions and in varying degrees children of different ages are together. Children are thought to have different styles and paces of learning, schools are considered destructive if they insist on first period for math, second period for reading; or first grade, second grade; or high ability group and low.

The emphases vary in the three Boston area schools.

Highland Park, drawing mostly black children from low-income Roxbury families, has a lower school for 146 3- to 10-year-olds and an upper school for 52 8- to 16-year-olds. Age groups in the lower school overlap by little more than a year. The 6-year-old group is highly structured because, Principal Seabrook says, "We want to make damn sure the children learn to read, write and do arithmetic."

Besides stressing the basic skills early, Highland Park gives practice in taking tests like the standard Metropolitan Achievement Test — a survival technique if the children return to Boston schools where tests determine ability groups.

At the Dorchester school, student groupings also overlap by a year or so.

### 'Family Group'

Its innovation is "the family group." All students, who come as volunteers from Boston and the suburbs, and teachers belong to a family.

Brad Crawford, a former public schoolteacher, has a 10-member family consisting of one child aged 5, two aged 6, two aged 7, two aged 8, one aged 9 and one aged 10. The families are together at the beginning of the school day, lunch as a group and then meet for about 45 minutes at the end of the day.

Fayerweather, an upper middle-class school with a tuition range of \$750 to \$1,325, mixes children of different ages on the three floors of its year-old building, five minutes from Harvard Square. While the Dorchester School has separate rooms and specialist teachers, Fayerweather teachers are expected to be generalists. Their classes are largely integral units, although the school has a common library, shops and recreation room.

Fayerweather, more than the other two schools, involves students in decision-making. A couple of weeks ago, Headmaster Chris Stevenson, a sandy-haired Southerner with a gentle drawl, called a school meeting to discuss the sliding slope, an ice-coated walkway by the building, after a student caromed into a ground-level window. Only about 20 of the 120 pupils appeared and the older children dominated the meeting.

### Students Take Vote

After a rambling discussion, the students voted overwhelmingly for the larger interests of the group: little kids slide first, install a banked curve and a rope.

Later, the rest of the school was brought in to hear the new regulations. Someone protested the rules were imposed by the minority at the first meeting. "You could have come to the meeting, so it's tough on you," was the retort from one of the decision-makers. An important lesson seemed to have been learned.

It would be misleading, however, to leave the impression that student participatory democracy always builds a spirit of responsibility and community. The following day Stevenson called a meeting of the 7-to-9-year-olds to complain about poor cleaning at the end of the day. "I have great doubts that we are ready to live in a democracy," he said. When pupils were faced with a vote on whether the school's democratic organization should be continued, 35 voted in favor and 3 against.

### Questions Raised

The new schools raise several critical questions.

Left to decide when and what they want to learn, can children at an early age make intelligent choices? Do they master the basic skills? Do these schools produce better achievers, thinkers and human beings than conventional schools?

Free choice seems to work for most — but not all — children in the three Boston area schools, especially when they experience it at an early age.

At Fayerweather, Roger Smith, who teaches 10- to 14-year-olds, has eight students who are required to report at school only once a week. The students work at home, in libraries, museums or wherever their interests propel them. Often, they elect to come to school. But for others with traditional school background free choice is not working well, Smith candidly admits.

### Must Learn Pattern

It seems that although free choice, self-motivation and individual responsibility may be more natural to most children than learning under coercion, these behavior styles must be learned.

At the Dorchester school, teachers make a point of determining periodically whether students are exercising wisely their free choice, whether they are delving into the various subject fields. If a student is ignoring mathematics, his teacher looks into the situation. Students also can be urged successfully toward a subject area or told directly that they need to improve a skill.

Generally, teachers find that young children become bored with subjects and will leave a popular, overcrowded class for the personal attention of a teacher or small group.

Teachers at the three schools worry constantly about whether free choice is working or how it can work more effectively without destroying its virtues. One major danger, a teacher said, is that the learning environment can be too passive, that there are not enough interesting things for a child to do. "You can't have a teacher who sits back all the time and says, 'Okay, here's the material, now do something.'"

### Teacher Role Debated

At Fayerweather, Headmaster Stevenson has had many conflicts with his staff about the role of the teacher in prodding or promoting the child. "Fayerweather started as a

reaction to conventional schools where all kids were required to do the same," he said. "But, if there's nothing but free choice without any direction at all, that's treating all kids the same way too."

Whether children are mastering the basic skills is also a difficult question to answer. All three schools can cite examples of non-readers or poor readers who, given a freer atmosphere and less pressure, make great gains. Likewise, all three schools have some poor readers. None relies on the results of achievement testing to prove the schools' benefits.

In any case, the new schools are confident that they do a job in the basic skill areas that is equal to or better than most standard public and private schools. And furthermore, their approach to learning, they feel, is going far beyond numbers and words to the understanding of concepts, the development of critical skills of analysis and the nurturing of creativity and individuality.

Whether the new schools produce a new and better adolescent and adult is a question each parent, teacher and student will have to answer, each according to his values. What seems clear — to one observer at least — is that the children in these schools seem to be happier, more inquisitive, less anxious and less inhibited than children are usually expected, or even required, to be in most schools.



# Storefront Academy Rescues Harlem Kids

NEW YORK — Irving Hamer, his parka buttoned tightly against the subzero wind blowing down 130th Street and right through the concrete block and crumbling mortar wall of the storefront, sat and told horror stories about what city schools have done to Harlem kids.

"There's this one kid who had been in a school for disruptive adolescents. He dropped out and hadn't been to school for three years when he came to us. He's been here now four months and he's written a 363-page book — poems, stories, autobiography, everything. A publisher is interested."

"Another kid, he was in a food trade high school. He's done all our electrical work here, and I think he's just short of being a genius when it comes to math and science."

"This other guy who came to us last May was reading on the sixth-grade level. I don't know what went on. We talked a lot, began reading a lot... it's all related. He's at the 'University of Kansas now, making honors.'"

Hamer's job for the last 2½ years has been helping kids save themselves from a massive city educational system that is not working.

He heads the Lincoln Academy at 130th and Madison in Harlem, one of 13 storefront mini-schools organized by the Urban League of New York and operating independently from the public school system.

The first of the street academies was begun nearly four years ago, and they can now be found in roughly-renovated abandoned candy and clothing stores in Harlem, the lower East Side, Brooklyn and the Bronx. They admit dropouts and forceouts, improve their basic academic skills and then funnel the students to other schools, job training programs and colleges.

On the west side of Harlem at Eighth Avenue and 135th, Edward F. Carpenter heads a remarkable institution called Harlem Preparatory School, now in its third year. The job of that independent school also is to help kids surmount their past experiences in the educational system and preparing them for entrance into college.

Harlem Prep and the street academies are not dealing with average, run-of-the-mill

kids whose inability to handle academic subjects led to frustration and withdrawal from school. Most of the students at the academies and the prep have superior ability as measured by standard tests. They constitute a corps of talent and intelligence that in most cases might have been wasted.

If the public educational system of New York — and those of other cities — were working as they should, the academies and the prep would not be needed. But the educational systems are failing and rejecting many kids, and institutions like the academies and the prep, designed to salvage brains and talent, are desperately necessary.

Since their inception, the academies have had contact with about 1,000 students over 16-years-old, according to Calvin Ramsay, program director. More than 200 of the students have enrolled in colleges and 600 more have entered Harlem Prep, other post-high school institutions or job training programs. In some cases, students have gone back to public schools. The remainder have faded into the anonymous ranks of the diplomaless, the untrained, underemployed or unemployed.

Harlem Prep with two crops of graduates so far has placed 174 students in nearly 200 colleges. "I believe that's 174 people who would not be in college today," says headmaster Carpenter.

The prep began in a gloomy warehouse, but now has its own building, a former supermarket with large plate glass display windows facing Eighth Avenue. People walking by can look in and see a huge open room with no walls or partitions filled with students and teachers. Along two side walls, blackboards and lecture chairs are set up for classes. Bookcases divide class areas and an acoustical tiled ceiling keeps the noise down to a low hum.

Scattered through the large open spaces are tables, couches and lounging chairs where students read, do class assignments and socialize. The basement contains the school's science labs, art workshop, library and lunch facilities.

Harlem Prep has a spirit, a drive, and a sense of purpose seldom experienced in any educational institution. James Rogers, who graduated last

year, described it this way in a brochure on the school:

"MOJA and LOGO are written on the wall at Harlem Prep. These two words of African origin for unity and brotherhood have as many meanings as our school's students have diverse experiences. But each of our lives is united for one immediate aim — to go on to college."

To some students unity and brotherhood signify a new spirit of community determination among black people. To the small contingent of Puerto Rican students, the slogans may mean the assertion of "brown power" in this city. To the handful of whites, unity and brotherhood are goals to be sought beyond the present day divisions of race and class.

## Humanistic

For Edward Carpenter, the headmaster, and for several of his teachers and students, MOJA and LOGO are all of these things, but the words embody as well the beliefs of the Baha'i faith they practice, but don't proselytize. Baha'i, named after its founder, Baha'u'llah (meaning Glory of God), a Persian who died in 1892, is a humanistic world faith seeking the end of racial, religious, social and economic divisions and the establishment of worldwide unity and brotherhood.

The prep has white and black teachers and three nuns who this year have discarded their religious habits for moderately short dresses. The nuns, from the order of the Religious of the Sacred Heart, live in an apartment near the school. One of them, Mother Ruth Dowd, is the school's vice principal.

The educational program at both the academies and the prep is an unusual blend of informal atmosphere and rapport between teachers and students with a rigorous academic program, including marks, tests and continual evaluation, all of it designed to bring students up to college level performance.

Students spend anywhere from a few months to a year in the academies where the objective is to raise their performance level to about the eighth grade. The next step usually is an "academy of transition" where the student

stays until his work is of high school caliber. Then many students enter the prep which keeps them or a year or two depending on how much time they need to prepare for college.

## Therapeutic Community

A street academy at its best becomes what psychologists call a therapeutic community. With about 50 students, two or three teachers, a street worker all in very crowded quarters, group interaction is at a high level. A newcomer gets absorbed into the group, working out the hospilities and hang-ups that drove him or her out of school.

Take the "problem" of reading, for example. Irving Hamer, the intense 27-year-old head teacher at the Lincoln Academy, which is considered among the best of the mini-schools, finds it hard to describe concretely what happens.

"Half the reading problem is not in skills, but in something else preventing the student from learning," he said. "We try to deal with the pathology involved, to ease the tensions. Then everything seems to fall into place."

The academy also does a lot of practical work in reading, starting students off with basic books like Doctor Seuss' "Cat in Hat Beginner Book Dictionary," if necessary. Students use programmed reading exercises, they read aloud together, help one another, work with teachers and do a lot of writing.

## A Class Is Begun

A couple of weeks ago, Curtis Jernigan, a young teacher from Alabama assigned to the academy for two months as part of a fellowship program, shouted above the noisy lunchtime conversation that he was going to start a class in human biology. Six young men, 16, 17 and 18-year-olds, gradually gathered around a well-worn plastic topped table. Bags of potato chips, bottles of Nedicks orange drinks and Kool cigarettes were passed around constantly.

"Okay, what should we talk about today," Jernigan started. Someone suggested the structure of the human eye, another student wanted to discuss the ears, and, with a glance at the white visitor, one



student broke up the class when he said a discussion of skin was in order. The consensus, however, was to talk about the human reproductive system, particularly since no girls were present.

For the next hour, Jernigan skillfully conducted a combination lecture-discussion that seized on student interest for its direction. The class began with a discussion of the male reproductive system, then the female system, conception and birth. Off it went on a tangent to talk about multiple births, Siamese twins, Caesarean sections, then more questions and information about conception, contraceptive devices, menstrual cycles and finally some exchanges on venereal diseases.

The style of the class was raucously masculine, but the questions from the students were serious—some of them indicating that regular high school health and sex education courses had failed to provide much basic information. Most of the students diligently took detailed notes.

#### At Harlem Prep

Over at Harlem Prep the relationships between students and teachers also are very close and warm. But the academic fare is more structured, with classes in many conventional subjects, although often-times taught in an unconventional way.

An African-American history class serves as an illustration. The instructor chooses a young woman wearing an African-type headcovering to review what the class had learned during the last few sessions.

She describes the history of the family in Africa before the importation of slaves to the Western Hemisphere. Fellow students frequently interrupt with questions, corrections or added information. In the Caribbean area, the family was kept basically intact, she continues, while in America families under slavery were separated.

The teacher breaks in to point out that like most generalizations this one is inaccurate. Family patterns under slavery in America differed also, he said, with French and Spanish colonies usually retaining the family structure, while the English colonies split families apart.

Some students protest the interruption. "How can she say anything when you keep telling her she is wrong?" a

student asks. The teacher answers: "That's part of my job. I can't let you go away with wrong information. If she says something wrong, I have to speak up."

The class leader doesn't seem discouraged by the repeated criticisms. She seems to accept the interruptions as the usual give and take of the class. She doesn't seem threatened by them.

Gradually, the teacher takes over leadership of the class discussion and goes on to puncture a number of popular myths of American history.

"How can you say Columbus discovered America when the Indians were watching his boats arrive?" he asks at one point.

The Harlem Prep educational program is open ended. Basic subjects are stressed for those who need them. Advanced students branch out to do independent work wherever their interests lead them. In the school's basement area, for instance, a gifted student artist, with the help of a teacher, is using the schools equipment to make a film of his paintings and illustrations.

#### Emphasis on Service

Headmaster Carpenter refuses to characterize his students as militants or conservatives, saying their education at the prep must free them to establish their own perspectives. One attribute is common to the students, he says.

"They minimize materialism and maximize service," he says. "They have all made a covenant with one another that when they graduate they will give some part of their lives to their communities."

Carpenter and teachers in the street academy program are painfully aware that their institutions are making only a fractional impact on the educational waste in the city. Some 3,000 students applied for about 100 places available at Harlem Prep in September.

#### Search for Funds

Despite their demonstrated success, the academies and the prep must continually scratch for funds. They are unable to grow to meet the demand and scarcely able to survive.

The street academies cost about \$60,000 annually for each unit of 100 students. They are supported by leading corporations that get for their money some conspicuous advertising and good public relations in predominantly black areas, tax write-offs and satisfaction

that they are involved in city problems.

The prep has received the bulk of its support for the first two years of its existence from a major oil company, as well as from foundations and the Urban League. By mutual agreement, the oil company support will end this year, Carpenter said.

He is now spending up to 75 percent of his time in fund raising, including drafting a proposal which he discussed recently with presidential aides at the White House and plans for a show business benefit.

With National Urban League promotion, the street academy program has inspired similar schools in other cities and several barely functioning replicas within the New York public school system. Recently, the U.S. Post Office Department announced plans to sponsor its own street academies. Surprisingly, no one connected with the post office program has yet contacted the originators of the storefront school concept, according to director Ramsay.

In Washington, the Anacostia Project, a federally supported decentralization experiment in Southeast, is planning to begin its own academies.



# Project in Pittsburgh 'Teaches' Intelligence

PITTSBURGH—After the 4- and 5-year-olds have taken off their coats, hats and boots and played around the kindergarten for 10 minutes, Mrs. Johnnie Brice, their teacher, announces, "It's time for work, children. Get your prescriptions."

With little hesitation, the 14 children in the Henry Clay Frick Elementary School class walk up to a large board where they look for their names on individual card holders, like those used for time cards in offices and factories.

Debra, who is 5, and her classmates, find their holders and pull out small yellow cards. Debra's card—her prescription or ticket—reads: Q7E1, Q7F1, 5, 13.

She carefully puts her index finger under the first code letters, Q7E1, and goes to a large series of shelves filled with white boxes. Debra finds the box with the corresponding code letters, takes it to her seat at a table and opens it.

Inside the box are 20 wooden blocks of different sizes. Debra spills the blocks on the floor. For awhile, she tries different patterns, then gradually seems to figure out that the blocks can be lined up in a series from the largest to the smallest.

Around the room, children are opening up boxes with different materials and beginning to do what they call their "tasks." Two boys deal out an ordinary deck of cards, then simultaneously turn cards face up. The player with the highest card takes the trick.

A small boy manipulates a miniature scale, placing weighted numbers on either end. The highest number tips the scale, indicating that it is the larger one. Other children are tracing shapes, numbers and letters; counting with chips, small cubes and other implements; playing a variety of games—all having the purpose of demonstrating basic concepts of quantity, classification and number.

Their teacher, Mrs. Brice, circulates through the room the entire 90 minutes of what is called the "cognitive" or learning time for the class. She answers a question, checks a student's work, moves all the time.

## Never Criticizes

Mrs. Brice never criticizes a pupil or says angrily that something is wrong. She only provides what psychologists call "positive reinforcement" by dealing out lavish praise for success: "Very good, Rochelle" or "You really understand that, Robert."

With few exceptions the children display a concentration and intensity toward their work that would astound most teachers who complain of the "short attention spans" of 4- and 5-year-olds.

Mrs. Brice's kindergarten pupils are part of the unusual Primary Education Project (PEP), a joint effort of the Learning Research and Development Center of the University of Pittsburgh and the city public schools. Now in its third year, the project covers about 375 3- to 6-year-olds and will gradually be extended as far as the fourth or fifth grades.

In its simplest terms, PEP is attempting to teach children the skills that society calls intelligence.

In order to "teach" intelligence, the project has reconstructed into a programmed or controlled environment the preschool, kindergarten and first grade classes at the Frick School.

## Controlled Sequence

Virtually everything a child does in a PEP class is part of a closely worked-out, controlled sequence that will guide the child to learning a particular skill. Children are continually tested and generally not allowed to proceed to a higher level until they can show they have mastered the preceding steps.

The skill to be learned can be something as apparently simple as counting five poker chips placed in a pile on a table. Many children come to school already knowing how to do this simple task, but many of the children at Frick School from low-income areas bordering the Pitt campus haven't mastered it.

At PEP the process for learning how to count those poker chips — or other objects — is not left to chance. The process has been set down carefully on paper so that a teacher can "program" a child.

## The First Step

The first step is learning to say the number chain — one, two, three, four, five. This is basically a rote exercise which the child can learn through number games, recitation with the help of the teacher, or by hearing a voice on a tape recorder say the numbers.

The child must also develop a rather sophisticated physical skill before he can count those poker chips. He must learn how to synchronize the saying of a number and the touching of an object; in other words, he must learn how to count one-by-one.

This skill can be taught without the use of numbers. A child can sit with a teacher or tutor, say a word — his name, for instance — and tap a table. In this way he develops the coordination and rhythm needed to count those poker chips.

The child next must master a method for attacking the random pile of poker chips. If he simply touches and counts haphazardly, he more than likely will get confused. What the child learns usually is the technique of touching one chip, saying the number one, then moving the chip away from the pile. He then repeats the process until he comes to the last chip and calls it "five."

## A Final Refinement

One final refinement must be learned. The child must realize that the last chip he counts — the one he calls five — equals the total of the chips in the pile.

This example demonstrates how complex and intricate a simple skill becomes when analyzed. In attempting to set down on paper the steps a child goes through to learn basic skills, the PEP project is unique in this country, and perhaps, unique anywhere.

Once the learning sequence is broken into its successive steps — and the PEP project is continually testing, analyzing and reordering the learning sequences, or "hierarchies" — that sequence is transferred into what amounts to a curriculum. The project has turned out stacks of detailed books to enable teachers to guide a child who has not learned a basic concept through the steps needed to acquire it.

## Immense Implications

The implications for school curricula of the future are immense.

Most teachers these days try to teach children basic skills on a hit-or-miss basis with little or no knowledge of the component steps in acquiring a skill. The PEP system, with its diagnostic tests which continually determine what a child knows and what he needs to know, offers the basis for one of the most systematic approaches to learning ever developed.

But back to Debra. She has arranged her 20 blocks in order from largest to smallest. She is now confident that her "task" is successfully completed and waves her hand in the air to attract her teacher.

Mrs. Brice comes, looks at the blocks and asks, "What can you tell me about this block, Debra?"

"It's the largest," answers the child. "What about this one?" she is asked. "It's the smallest," Debra answers.

## Gets Second Box

Debra receives a "very good" from her teacher, who then checks off the first task on the child's prescription. Debra tosses the blocks back in the box, replaces the box on the shelf, looks at her tickets and locates her second learning box.

Her second task is a simplified number line, an ingenious system for performing simple addition and subtraction. The number line consists of a long strip of cardboard with spaces marked off from 1 to 10, like a ruler. Included in the box are cards with simple problems like 2 plus 3 or 5 minus 2.

Debra is a bit confused by the new task. She asks for an explanation from her teacher, gets it, then begins to work, biting the tip of her tongue.

She begins with the problem of adding 2 and 3. Debra puts a yellow cube on the 2 of the number line, then takes a blue cube, starts on the 3 and counts 3 spaces to the right, arriving at 5, her answer. To subtract 2 from 5, Debra places one cube on the large number, then counts 2 spaces with the other cube to the left for her answer, 3.



She spends about 10 minutes on the number line, oblivious to the other activity around her. She gets another box from the shelf, begins a tracing and coloring exercise, but is interrupted by the student teacher for a test.

Debra's test is much like most of the games she has been playing, simple addition and subtraction using cubes and chips. The tester carefully marks Debra's progress on a record sheet using a variety of colors to indicate her level in different skills. And the end of the day, Debra's teacher checks the record sheet, determines what tasks Debra should be doing for the next few days, and writes out her new ticket.

Debra goes back to her tracings, finishes them, then does an exercise on a mimeographed sheet of paper, matching similar shapes like triangles, square and rectangles. While she is completing her task, Mrs. Brice announces to the class that another child, Renee, has finished all her work first, and gets a star.

Renee's achievement also has earned her admission to the play area on the other side of the room. There she must make a choice between activities. She can use a typewriter to copy words and letters, or play in the doll corner, or with blocks, books and games.

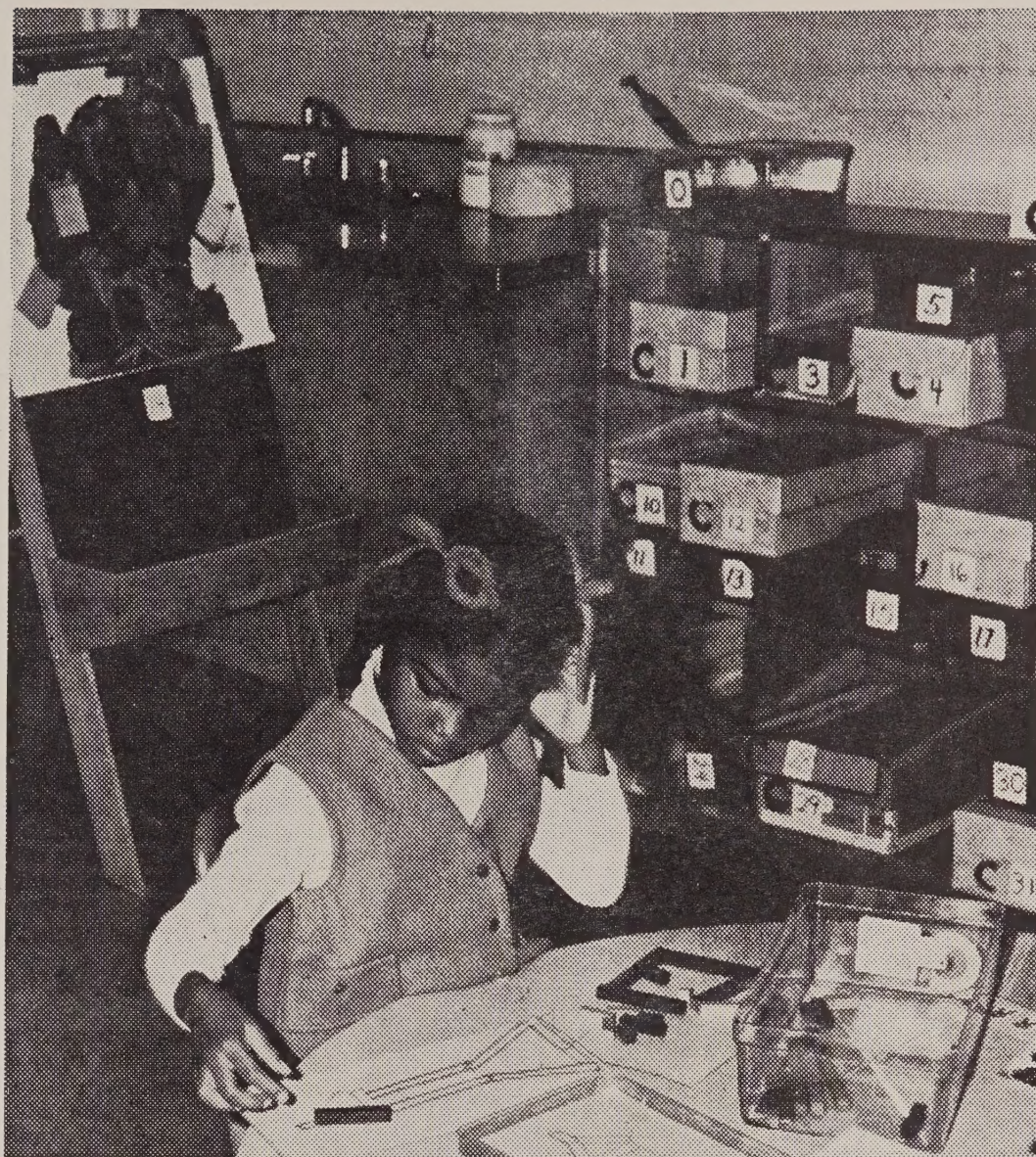
#### 'Special Table'

Another choice is the "special table," a headset attached to a tape recorder. The child presses a button, hears a voice tell her to open a book on the table to the page with the farm animals. She hears the rooster crow, the cow moo and the horse neigh. The voice then asks her to listen carefully. The cow moos and the child is asked to circle the animal that made the sound.

Later, Mrs. Brice, the teacher, announces that it's time to put away the toys.

"Everybody worked very hard and some of you had difficult tasks," she says. "Now we're going to have some free play. Debra, you worked so hard, would you like to ride the bicycle?"

Debra rides the big three-wheeler around the classroom. After about 10 minutes of "free" play, a student teacher gathers the children in front of her. She has a pile of envelopes, each bearing a child's name and containing words the children have selected as their favorites.



A scene at Pittsburgh's Henry Clay Frick Elementary School.

The young teacher reads Robert's cards first: "dog-

... fire .-

... bang ... cake ... For the first time in two hours, the children unwind, laughing and joking as Robert's words are displayed. Robert recognizes most of them and if he doesn't someone else in the class shouts out the word. At the end of the list, she asks him to select a new word. She writes the word on a card, shows it to the class, then puts it back in Robert's envelope.

#### Intent on Tasks

Much the same atmosphere can be seen in the other PEP grades at the Frick School, the preschool and the first grade. The children are busy, somewhat subdued and intent on their tasks. Teachers rarely have to raise their voices.

The system of rewards for good work or effort and diminution—not denial—of rewards for poor performance seems to

have largely eliminated the standard system of punishment used in most schools.

In the preschool, the initial emphasis is in giving the 3- and 4-year-olds practice in performing a simple task, like pasting or sorting basic shapes, and sticking to the task for a few minutes at first. Gradually the time allotted to work increases, reaching eventually 30 minutes a day.

The long-range objective of the PEP system of assigned tasks, checks and rewards, is to eventually make the system unnecessary. In the first grade, students already check their own prescriptions when they have completed a task.

By the third or fourth grade, most children, who have been in the program for a couple of years or so, hopefully will be largely self-motivated and self-disciplined, says Dr. Lauren B. Resnick, the young psychologist who heads the project.

PEP also has its effect on

teachers, most from the city school system. Mrs. James J. Robinson, coordinator of the project for the school system, asserts, "We have no failures here. Our teachers come to believe that children cannot fail something they haven't been exposed to. This does something to teachers' ideas about testing. They now see tests as a tool that shows a child has not yet attained a particular skill."

Resnick frankly acknowledges that there are dangers in the program, but thinks they have been anticipated.

The entire model of positive reinforcement based on behaviorist theories of psychology shows the incredible power a teacher has over children.

In the hands of an authoritarian teacher, the PEP system could create a classroom of scared robots. Resnick says teachers in the project have been chosen carefully for their compassionate and non-authoritarian attitudes toward children.



# A Challenge From North Carolina

The PEP scheme could also be made into a rigid pupil-tracking system in which students are quickly designated as slow learners, average or advanced. Resnick says this would be a distortion of PEP which is the opposite of tracking. Students in PEP learn at their own pace in classes that are mixed with some students doing extremely low-level work and others performing at higher levels.

## Know Achievement

In the first grade, children readily tell a visitor who is the "smartest kid" in the class. They know what level they are working on, as well as their friends' achievement. But the children generally seem satisfied with their own accomplishments and unthreatened by competition with their classmates.

Another criticism of PEP is that children with experience under the system could not function in another environment. "It could be argued that teaching children to work only under controls makes them unable to work under another system," said Dr. Resnick.

"I'm in a bind on this," she added. "I believe in the social and human goals of freedom to learn and joy in learning, but I'm not convinced that every child learns under such a system. If you're a good skier and a poor skater and no one tells you or gives you the opportunity to become a good skater, you'll only ski."

"We require children to learn things that they might not choose to learn because of their past history and environment," she added. "We want kids to have options open to them. By the fourth or fifth grade with a sound foundation, they will be able to choose their own objectives."

PEP is still in its formative stages and is not yet ready for export. Like its forerunner, the system of Individually Prescribed Instruction, also developed at the University of Pittsburgh, PEP is likely to attract government support, particularly from an administration that says it is committed to new ways of doing things in education.

PHILADELPHIA — Nearly 2½ years ago when School Supt. Mark Shedd brought the director and half the staff of North Carolina's Advancement School to Philadelphia, his decision was hailed as the type of action needed to shake the entrenched establishment of big city schools.

At the time, Shedd predicted that the newly formed Pennsylvania Advancement School, patterned after the North Carolina institution, would be a major local "change agent."

The school would exert pressure on the bureaucracy to change its traditional and ineffective approaches by demonstrating better classroom practices, Shedd maintained.

## Publicity and Praise

In North Carolina, where the political and educational establishment combined to strip the advancement school of its independence, the school had attracted national attention.

Publicity and praise from educators were directed at its programs for motivating underachieving adolescents, its new curriculum approaches and its method for influencing the classroom practices of teachers. The Carnegie Corporation, after bankrolling the school with a half million dollars to get it started, called the institution "among the most far-reaching and useful education programs in America."

During its five years of existence here and in North Carolina, the advancement school has had many magnificent successes, but to this outside observer, at least, the school has been essentially a magnificent failure.

Most teachers at the school would disagree, although a substantial minority share the view that the advancement school concept can have only a marginal impact on a massive, entrenched school system.

"If you're happy with little things happening, it's a very nice approach," said Farnum Gray, a curriculum writer who has been with the school both here and in the South.

## Citizen Impatience

Pressured by citizen impa-

tience with failing schools, public and school officials around the nation—and particularly at the federal level—are currently being forced to determine what are the most efficient and economically productive ways to improve schools. In this light, an examination of the successes and failures of such existing approaches as the advancement school concept is instructive.

Perhaps the advancement school was oversold from the start as a "change agent." Without a doubt, however, when the school was first set up in North Carolina in 1964, with former U.S. Commissioner of Education Harold Howe II as the head of its corporate organization, and after it came to Philadelphia in 1967, the school seemed to be one of the most promising mechanisms for challenging the status quo of existing school systems.

The school currently operates on two floors of a converted warehouse building at 5th and Luzerne Streets in North Philadelphia. Its interior is carpeted, painted in bright colors, filled with attractive displays and art work. The atmosphere is vibrant, excited, informal, relaxed.

## Not Really a School

Despite its name, the advancement school is not really a school. It always has from 100 to 200 young junior school boys in its classes. The boys are bright, but achieving well below their potential.

They come to get "turned on" to learning, according to one of the school's favorite expressions. The boys later return to their junior highs, presumably better equipped and motivated to succeed.

But the students at the advancement school—more than 1,000 have attended since the school has been in Philadelphia—are not the primary objective. This fact bothers a number of staffers at the school, the most critical of whom say the children are "test subjects" for curriculum experimentation.

The primary purposes of the advancement school are to create, test and export new

curriculum materials and approaches, to serve as a laboratory for teachers who want to see new methods in operation and to influence directly teachers who participate in summer workshops or spend a year of residency at the school.

## Pioneering Effort

The school's accomplishments in curriculum experimentation and development are probably its finest achievement.

It has pioneered in stressing the validity and need for physical, emotional and personal experiences as part of a school's curriculum.

Students are urged to write stories about their own experiences without fear they will be downgraded for errors in grammar and spelling. Some courses stress sensory experiences of sight, smell and taste to sharpen perceptions. English courses combine literature with music, drama, art and the dance.

One teacher, George Mager, has devised an approach he calls improvisational drama. Its purpose is to stimulate a student's imagination, concentration and hopefully to aid him in developing a better understanding of himself and his relationships to others.

In improvisational drama, the students and teachers set up a situation and the participants act it out spontaneously. Often the students arrive at profound insights about their attitudes during the impromptu dramas and the group discussion that follows. Teachers can cite significant behavior changes largely attributable to the group experiences in the improvisational drama sessions.

Besides the psychologically oriented approaches, the advancement school has devised many ways of teaching conventional subjects in unconventional fashion. Students learn spelling through a card game similar to stud poker. Students often go out into the community to get first hand information for their projects. Classes make short films, write radio scripts and playlets.

A math class several weeks



ago was typical of the imaginative advancement school approach. The teacher, Eric Olson, had put together an elaborate sequence to teach the Pythagorean theorem that in a right triangle the square of the hypotenuse, or long side, is equal to the sum of the squares of the other two sides.

The students took little colored sticks to build a right triangle on a work table. On each side of the triangle they used the sticks to construct squares. Then, they picked up the sticks that made up the squares on the two smaller sides and fitted them on the larger square that was built on the hypotenuse. In this way, they could tangibly see the validity of Pythagoras' theorem, which has bedeviled school kids for years.

Olson has also constructed a six foot long ramp that can be raised or lowered by a support standing at right angles to the floor. The ramp is actually an oversized right triangle. Rolling weighted balls, or little racing cars, down the ramp, the students can clearly see and understand a variety of basic mathematical or physical principles that usually remain a paper and pencil abstraction in most classrooms.

#### Question Remains

Despite the very obvious success of curriculum development at the advancement school, the question remains: How much of this good material is finding its way into the classrooms of regular schools in Philadelphia?

The advancement school has tried to infuse regular schools with its practices through several methods. Close to 200 teachers from regular schools have participated in summer workshops. Another 100 teachers have spent a year of residency at the school.

(At that rate, it might take at least the rest of this century to get to all the public school teachers, provided there were no turnover in staff.)

In the last year or so, the advancement school has tried to concentrate its resources on seven junior high and elementary schools. A substantial number of the staff of these schools has participated in workshops and the year-long residency programs.

At a recent meeting of staff members who manage the internal operation of the advancement school, Joseph L. Prusan, coordinator of teacher education, was asked when he would expect to see major

changes in the regular schools the advancement school has worked with. He laughed and someone else at the table said, "Not in Joe's lifetime."

Prusan seems to be in his 40s and in good health.

Later, he added that he could see indications of change in three of the seven schools and that he expected a "geometric progression" could occur that would produce widespread reform.

Although the main purpose of the advancement school is to influence the classroom practices of teachers and to develop new curriculum, the children at the school are important, too.

#### Reflect Racial Pattern

Students are drawn from the city's various subdistricts to reflect the approximate 60 percent black and 40 percent white citywide distribution. Most of the students are from low income families. They have been selected by teachers, counselors and principals because of their average or above average intelligence but poor school work.

The school only admits boys for several reasons, said Saul M. Yanofsky, director of research and planning. The practice began when the school was in North Carolina, and has carried over to Philadelphia.

It is felt, Yanofsky said, that because of the female domination of conventional schools, boys have a harder time surviving.

Yanofsky gave as another reason one that can serve as evidence of the inhuman choices the crisis in our schools force us to make. "Since we can only save a certain number of kids, it was felt we should concentrate on boys," he said.

#### Divided on Effect

Staff members are divided in their opinion of the effect the school has had on students who have been enrolled from 14 weeks to a year. Some feel that after having had a good school experience, and after becoming interested and engaged in the process of learning, students return to their regular schools better motivated and able to cope with their situations.

Other staff members think the advancement school has done wonders in motivating students, but that unless the schools to which they return change—and most of them are unchanged—the students who were "turned on" to learning

will be quickly "turned off" and essentially no better off.

There is no evidence yet of the long-term effect of the school on the boys who have attended. Students have not been back in their regular schools long enough to get valid data, but some studies are in the works, Yanofsky, the research director, said.

The students themselves seem confident that they will do better in their regular schools, although all the students this visitor talked with said they would sorely regret leaving the advancement school. Surprisingly, the students do not seem to realize that their previous failure in regular schools may not have been entirely their own fault. They do not seem to be aware that they succeeded at the advancement school because it was significantly different from their previous schools and that their change was the result of more sympathetic teachers and better teaching approaches.

#### Parents Questioned

Their parents, however, seem conscious of this problem. While 82 percent of the parents questioned in a study were confident their children would be better motivated and would work harder when they returned to their regular schools, almost half were not sure the children would get better grades or that their performance would improve generally.

In other words, the parents seemed to realize that even if their children have changed during their time at the advancement school, such very real change will not be recognized or appreciated by a regular school.

Most of the people came to the advancement school attracted by an institution that was independent of a school system, but committed to working with the system. A majority of staffers still believe the concept is valid. But some feel other approaches like Philadelphia's Parkway Program, which is trying to build an alternative system supported with public funds, may have more impact—if it can survive.

A four-year veteran of the advancement school here and in North Carolina, Dan Cheever, can count many positive accomplishments. The school has proven that effective programs can be run for under-achievers, he said. It has developed outstanding curriculum and new approaches that may

be used here and elsewhere, and it has influenced many teachers.

"But, you know," he said, "the biggest payoff for the \$6 million or whatever it has cost over the years may be that 30 people who would never have gotten interested in public education have gotten experience and training. They are going to other projects and help change the system."